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THE MONROE DOCTRINE.

WHETHER the student of history and politics will find in the study of what is commonly called the Monroe Doctrine encouragement or discouragement, depends upon his attitude toward the question propounded by Sir William Hamilton: "Is truth, or is the mental exercise in the pursuit of truth, the superior end?" If he must have the truth, he can find it; but in the multitude and variety of interpretations proposed to him, he will require great firmness of mind to hold fast to it when he has found it. If, on the other hand, he merely seeks indefinite exercise, this may be readily obtained in following what is fast becoming, if it has not already become, the *ignis fatuus* of American politics.

The object of this essay is to show the actual meaning and limitations of President Monroe's declarations, as they were understood at the time, and their subsequent history and perversions. In order that nothing essential to an understanding of the subject may be lacking, I will quote all the passages in President Monroe's message that have been cited as containing the expression of his doctrine:

[1] At the proposal of the Russian imperial government, made through the minister of the Emperor residing here, a full power and instructions have been transmitted to the minister of the United States at St. Petersburg, to arrange, by amicable negotiation, the respective rights and interests of the two nations on the northwest coast of

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this continent. A similar proposal has been made by His Imperial Majesty to the government of Great Britain, which has likewise been acceded to. . . . In the discussions to which this interest has given rise, and in the arrangements by which they may terminate, the occasion has been judged proper for asserting as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers.[1] [Paragraph 7, Message of December 2, 1823.]

[2] In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy to do so. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense. With the movements in this hemisphere, we are, of necessity, more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments. And to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power, we have not interfered and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition towards the United States. . . . Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate gov-

[1] Am. State Papers, For. Rel., vol. v, p. 246.

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ernment for us ; to cultivate friendly relations with it, and to preserve those relations by a frank, firm and manly policy, meeting, in all instances, the just claims of every power, submitting to injuries from none. But in regard to these continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can any one believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference.[1] [Paragraphs 48 and 49, Message of December 2, 1823.]

It will be observed that the two passages above quoted, which are sometimes — for example, in Wharton's *International Law Digest* — printed together, as if they formed one continuous passage and were intended to convey one idea, are widely separated in President Monroe's message. In reality they relate to two distinct subjects. I will discuss them in their order.

I.

The first passage has by more than one writer been said to mean : "No more European colonies on these continents." In a proper sense this interpretation is correct. But it is not correct if it is intended to ascribe to President Monroe the declaration that the United States would resist any acquisition whatever of territory on either of the American continents by a European power. The history of the passage, as well as its language, shows that it related solely to the acquisition of territory by original occupation or settlement ; that it did not refer to acquisition by gift, purchase or other form of voluntary transfer, or even as the result of war ; and that it was not designed to commit the government of the United States in respect of any territory but that which it claimed as its own. These propositions can be plainly demonstrated.

In 1821 the Emperor of Russia issued a ukase by which he assumed, as owner of the shore, to exclude foreigners from

[1] Am. State Papers, For. Rel., vol. v, p. 250.

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carrying on commerce and from navigating and fishing within a hundred Italian miles of the northwest coast of America, from Bering Straits down to the 51st parallel of north latitude. As this assertion of title embraced territory which was claimed by the United States as well as by Great Britain, both those governments protested against it. In consequence the Russian government proposed to adjust the matter by amicable negotiation; and instructions to that end were prepared for Mr. Middleton, then our minister to Russia, and for Mr. Rush, our minister to England, in the summer of 1823. John Quincy Adams was then secretary of state. At a meeting of the cabinet on June 28 the subject of Mr. Middleton's instructions was discussed, and Mr. Adams expressed the opinion that the claim of the Russians could not be admitted, because they appeared to have no "settlement" upon the territory in dispute. On July 17 he informed Baron Tuyl, the Russian minister, at a conference at the Department of State,

> that we [the United States] should contest the right of Russia to any territorial establishment on this continent, and that we should assume distinctly the principle that the American continents are no longer subjects for *any* new European colonial establishments.[1]

When the principle was announced in the message of December 2, President Monroe spoke of "future colonization."

Now, what was meant by the term "colonization"? The answer is, simply what was meant by the terms "settlement" and "colonial establishments," previously employed by Mr. Adams. The word "colonization" has a definitive meaning. It signifies the settlement by immigrants of a region not under the control of any civilized power, unless that of the parent country. Indeed, Mr. Adams, in his instructions to Mr. Rush, which are more fully quoted hereafter, clearly expressed himself in that sense. "Occupied," he says, "by civilized nations, they [the American continents] will be accessible to Europeans and each other on that footing alone." It was in this sense that Mr. Adams and President Monroe used the term colonization.

[1] Memoirs of John Quincy Adams, vol. vi, p. 163.

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They used it to denote what it was then commonly understood to mean, the acquisition of title to territory by original occupation and settlement.

It is to be observed that Mr. Monroe said that this was a question affecting, not "our peace and safety," but our "rights and interests." As there were already European colonies on our very borders, it was obvious that the founding of a colony by a European power somewhere in South America could not be considered as jeoparding our security. How was it, then, that the principle involved our "rights and interests"?

It did so in two particulars, the first of which was in connection with our dispute with Russia. Mr. Adams and President Monroe denied the existence of Russian settlements in the territory in dispute; and, claiming the territory as our own, they necessarily denied the right of Russia or of any other European power to colonize it.

The second particular was our trade. Under the colonial system then in vogue, European countries rigidly excluded foreign nations from commercial intercourse with their colonies. An exaggerated attempt at such exclusion is seen in the ukase of 1821, to which I have just referred. By the Nootka Sound Convention between Great Britain and Spain, of October 28, 1790, it was agreed that Spain, so far as her actual settlements in North America extended, should possess not simply an exclusive right of territory, but also an exclusive right of navigation and of fishery to the distance of ten miles from the coast. The extent to which early in this century exclusive ideas prevailed, is difficult for us to realize in this later period of commercial intercourse with European colonies, a period in which we have seen special arrangements for reciprocity with Canada, with the British West Indies and British Guiana, and with Cuba and Porto Rico.

The meaning of the term colonization, and the idea of opposition to colonial exclusion, were clearly expressed by Mr. Adams, in an instruction of July 2, 1823, to Mr. Rush, as follows:

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Those independent nations [Mexico and the other Spanish-American states] will possess the rights incident to that condition, and their territories will of course be subject to no *exclusive* right of navigation in their vicinity, or of access to them by any foreign nation. A necessary consequence of this state of things will be, that the American continents henceforth will no longer be subjects of colonization. Occupied by civilized, independent nations, they will be accessible to Europeans and to each other on that footing alone; and the Pacific Ocean, in every part of it, will remain open to the navigation of all nations, in like manner with the Atlantic. . . . The application of colonial principles of exclusion, therefore, cannot be admitted by the United States as lawful, upon any part of the northwest coast of America, or as belonging to any European nation.[1]

It may be said that if Mr. Adams intended to do no more than announce that territory already occupied by civilized powers was not subject to future colonization, he merely stated a truism. But in its application to the American continents at that time the announcement was far from being a truism. It was by no means generally admitted that the American continents were then wholly occupied by civilized nations. There were vast regions of territory not actually settled by the subjects of civilized powers.

It has been seen that, while the announcement as to future colonization was made in general terms, applicable to the whole of the American continents, it bore a special relation to our rights and interests in the northwest coast. It did not become the subject of cabinet deliberation. This could not have been the case if there had been an intention to announce a new policy which the United States was to maintain in behalf of all the Americas. We doubtless had an interest, as Mr. Webster said in 1826, in inducing Mexico and other American governments "to settle it, as a part of their policy, not to allow colonization within their respective territories."[2] It was against our interests to lose a right of commercial intercourse which we

[1] Am. State Papers, For. Rel., vol. v, p. 447. The same ideas were again expressed by Mr. Adams in his message to the House of Representatives of March 15, 1826. *Cf.* next page.

[2] Speech on Panama Mission, Webster's Works, vol. iii, p. 207.

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then enjoyed. At the same time we did not assume in this regard to dictate to our neighbors or to give any pledges to them; and in their contest with Spain, which was in name if not in fact still pending, we held an attitude of neutrality.

But all doubt as to how far it was intended to go in the announcement as to future colonization, has been precluded by Mr. Adams himself, who was the author of the argument. In his special message to Congress of December 26, 1825, touching the Panama Congress, he suggested, as one of the subjects that might be discussed,

> an agreement between all the parties represented at the meeting that each will guard *by its own means* against the establishment of any future European colony within its borders. . . . This was more than two years since announced by my predecessor to the world as a principle resulting from the emancipation of both the American continents. It may be so developed to the new southern nations that they will all feel it as an essential appendage to their independence.[1]

Again, in his message to the House of Representatives, of March 15, 1826, Mr. Adams declared that,

> should it be deemed advisable to contract any conventional engagement on this topic, our views would extend no further than to a mutual pledge of the parties to the compact *to maintain the principle in application to its own territory.*[2]

In accordance with these definitions, Mr. Clay, who was then secretary of state, discussing the same subject in his instructions to our plenipotentiaries to Panama, of May 8, 1826, expressly stated that it was

> not intended to commit the parties who may concur in that [joint] declaration *to the support of the particular boundaries* which may be claimed by any one of them; nor is it proposed to commit them *to a joint resistance* against any future attempt to plant a new colony.[3]

The origin of this specific declaration on the subject of boundaries is instructive. It did not escape the perspicacious

[1] Proceedings of the Int. Am. Conference, vol. iv, p. 22.
[2] *Ibid.*, p. 42. [3] *Ibid.*, p. 137.

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statesmen of that time that, with a boundary dispute of our own on the northwest coast, embracing a territory of 600,000 square miles, even a declaration that each power would "maintain the principle in application to its own territories," might involve greater responsibilities than it would be proper for us to assume. Mr. Rives, in the House of Representatives, pointed out that such a declaration might be construed as pledging us to make good our title to all the territory we claimed. In reply, Mr. Buckner, after reading various passages from Mr. Adams's message, said that, unless the president was to be suspected of designing "a most unprincipled deception," the proposed declaration was intended to apply only to uncontested territory.[1] When instructions to the plenipotentiaries were given, Mr. Clay expressly declared that it was not intended to commit any of the parties "to the support of the particular boundaries" which it claimed.

Thus ended for a period of twenty years the official discussion of President Monroe's announcement on the subject of future colonization. No resolutions were introduced in Congress to give the announcement effect. On the contrary, the House of Representatives, while the appropriation for the Panama mission was under discussion, adopted, by a vote of 99 to 95, a resolution declaring its opinion

> that the government of the United States ought not to be represented at the Congress of Panama except in a diplomatic character, nor ought they to form any alliance, offensive or defensive, or negotiate respecting such an alliance, with all or any of the Spanish-American republics; nor ought they to become parties with them, or either of them, to any joint declaration for the purpose of preventing the interference of any of the European powers with their independence or form of government, or to any compact for the purpose of preventing colonization upon the continent of America; but that the people of the United States should be left free to act, in any crisis, in such a manner as their feelings of friendship towards these republics and as their own honor and policy may at the time dictate.[2]

[1] Cong. Debates, 1825–26, vol. ii, part 2, p. 2091.
[2] *Ibid.*, pp. 2369, 2457.

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If this resolution, which was offered as an amendment to the bill making an appropriation for the expenses of the plenipotentiaries to Panama, had not been opposed as trenching on the constitutional powers of the executive in dealing with foreign affairs, the majority for it doubtless would have been overwhelming. Nearly every speaker who opposed it expressed his concurrence in the principle which it announced. Mr. Webster declared that, apart from constitutional objections, "he had felt a very sincere disposition to agree to it."[1] Before the American plenipotentiaries reached their destination, the Panama Congress had adjourned, and consequently no declarations of any kind were made.[2] The subject sank out of sight. In many of the contemporary discussions of President Monroe's message, the declaration on the subject of colonization is barely if at all referred to. The subject that aroused public interest and excited the popular feeling was that treated in the second passage of the message,—the passage relating to the threatened intervention of the allied powers.

II.

This second passage, which was anxiously considered by President Monroe and his cabinet, related to the threatened interference of a combination of European powers in the political affairs of the independent American states. On September 26, 1815, the Emperors of Austria and Russia and the King of Prussia concluded at Paris a treaty which was known as the Holy Alliance. The object of this league was

[1] Cong. Debates, 1825–26, vol. ii, part 2, p. 2021. Mr. Everett said: "On one of these points, the resistance to colonization, when the southern republics shall become more fully informed of the position of the United States in reference to that question, most assuredly they will withdraw the wish, if they now entertain it, to enter into an alliance with us" (p. 2431).

[2] The Panama Congress met June 22, 1826, and adjourned July 15, to meet again at Tacubaya, Mexico. Only four of the Spanish-American states sent representatives. Of these states only one, Colombia, ratified any part of the treaties that were formulated. Mr. Clay, in supplementary instructions directing our plenipotentiaries to go to Tacubaya, says the "ambitious projects and views of Bolivar" had dampened the hopes of a favorable result of the congress. The congress never reassembled.

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declared to be the administration of government, in matters both internal and external, according to the precepts of justice, charity and peace; and to this end the allied monarchs, "looking upon themselves as delegated by Providence" to rule over their respective countries, engaged to "lend one another, on every occasion and in every place, assistance, aid and support." In the course of time, as revolt against the arrangements of the Treaty of Vienna became more widespread and more pronounced, the alliance ceased to wear its originally benevolent aspect and came more and more to assume the form of a league for the protection of the principle of legitimacy — the principle of the divine right of kings as opposed to the rights of the people — against the encroachments of liberal ideas. Congresses were held at Aix-la-Chapelle, Troppau and Laybach, for the purpose of maturing a program to that end. The league was joined by the King of France; but England, whose Prince Regent had originally given it his informal adhesion, began to grow hostile. Her own government, with its free and parliamentary institutions, was founded on a revolution; and the allies, in the circular issued at Troppau, had associated "revolt and crime," and had declared that the European powers "had an undoubted right to take a hostile attitude in regard to those states in which the overthrow of the government might operate as an example." In the circular issued at Laybach they denounced "as equally null, and disallowed by the public law of Europe, any pretended reform effected by revolt and open force." Popular movements were forcibly suppressed in Piedmont and Naples. In October, 1822, representatives of the allies assembled at Verona especially for the purpose of concerting measures against the revolutionary government in Spain. As the result of their deliberations they issued a circular in which they announced their determination "to repel the maxim of rebellion, in whatever place and under whatever form it might show itself"; and they adjourned with the secret understanding that France should intervene to suppress the constitutional government in Spain. Their ultimate object was more explicitly expressed in a secret treaty in which they

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engaged mutually "to put an end to the system of representative governments" in Europe, and to adopt measures to destroy "the liberty of the press."

In April, 1823, France proceeded to execute the plans of the allies by invading Spain, for the purpose of restoring the absolute monarch Ferdinand VII. Before the close of the ensuing summer such progress had been made in the execution of this design that notice was given to the British government that, as soon as the allies should have achieved their military objects in Spain, they would propose a congress with a view to the termination of the revolutionary governments in Spanish America. At this time Lord Castlereagh, who had always been favorably disposed towards the alliance, had been succeeded in the conduct of the foreign affairs of England by George Canning, who reflected the popular sentiment as to the policy of the allied powers. The independence of the Spanish-American governments, which had now been acknowledged by the United States, had not as yet been recognized by Great Britain. But English merchants, like those of the United States, had developed a large trade with the Spanish-American countries, a trade which the restoration of those regions to a colonial condition, whether under Spain or any of the allies, would, under the commercial system then in vogue, have cut off and destroyed.

As the interests of the United States and of England were thus to a great extent identical, Canning towards the close of the summer of 1823 began to sound Mr. Rush, our minister at London, as to the possibility of a joint declaration by the two governments against the intervention of the allies in Spanish America. When Mr. Rush reported these conversations to his government, President Monroe lost no time in taking counsel upon them. Jefferson, whose opinion was asked, replied:

> Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe; our second, never to suffer Europe to intermeddle with cis-Atlantic affairs. . . . While the last [Europe] is laboring to become the domicile of despotism, our endeavor should surely be to make our hemisphere that of freedom. One

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nation [Great Britain], most of all, could disturb us in this pursuit; she now offers to lead, aid and accompany us in it. By acceding to her proposition we detach her from the bands, bring her mighty weight into the scale of free government, and emancipate a continent at one stroke. . . . Great Britain is the nation which can do us the most harm of any one or all on earth, and with her on our side we need not fear the whole world. With her, then, we should most sedulously cherish a cordial friendship, and nothing would tend more to knit our affections than to be fighting once more side by side in the same cause.

Mr. Madison viewed the suggestion of Canning with favor. In the cabinet of Monroe, Mr. Calhoun inclined to invest Mr. Rush with power to join England in a declaration, even if it should pledge the United States not to take either Cuba or Texas. He believed that the Holy Alliance "had an ultimate eye to us; that they would, if not resisted, subdue South America. . . . Violent parties would arise in this country, one for and one against them, and we should have to fight upon our own shores for our own institutions."[1] The president at first inclined to Calhoun's idea of giving Mr. Rush discretionary powers, but this was opposed by Mr. Adams, who maintained that we could act with England only on the basis of the acknowledged independence of the Spanish-American states. He thought that we should let England make her own declaration.

This England did, without waiting for the decision of the United States. On October 9, 1823, Canning, in an interview with Prince de Polignac, the French ambassador, declared that while Great Britain would remain "neutral" in any war between Spain and her colonies, the "junction" of any foreign power with Spain against the colonies would be viewed as constituting "entirely a new question," upon which Great Britain "must take such decision" as her interests "might require."[2] This declaration, followed by that of President Monroe for the United States, shattered the plans of the Holy Alliance with reference to Spanish America. Against the two

[1] Adams's Memoirs, vol. vi, p. 206.
[2] Annual Register, 1824, p. 485.

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great maritime powers of the world, the allies were, in respect of any transatlantic project, utterly helpless.

When President Monroe made his declaration, the proceedings of the Holy Alliance had already attracted attention and excited not a little inquietude in the United States. A writer in the *North American Review* for October, 1823, in an article obviously composed several months before the president's message, anxiously inquired:

> If success should favor the allied monarchs, would they be satisfied with reforming the government of Spain? Would not the Spanish colonies, as part of the same empire, then demand their paternal attention? And might not the United States next be considered as deserving their kind guardianship?

In truth, the Holy Alliance represented a force avowedly and aggressively hostile to the form of popular government of which the United States furnished the most shining example. It was for this reason that President Monroe declared that any attempt on their part to extend "their system" to any portion of this hemisphere would be considered as "dangerous to our peace and safety." The further declaration, that we could not view any interposition by any European power in the affairs of the governments whose independence we had acknowledged, for the purpose of oppressing them or controlling in any other manner their destiny, in any other light than as "the manifestation of an unfriendly disposition towards the United States," grew out of the same circumstances as the preceding declaration, and may, as Mr. Calhoun has said, be considered as an appendage to it. Those governments, said Mr. Calhoun, who spoke with peculiar authority on the subject,

> had just emerged from their protracted revolutionary struggles. They had hardly yet reached a point of solidity, and in that tender stage the administration of Mr. Monroe thought it proper, not only to make that general declaration in reference to the Holy Alliance, but to make a more specific one against the interference of any European power, in order to countenance and encourage these young republics as far as we could with propriety.[1]

[1] App. to *Cong. Globe*, 30th Cong., 1st sess., p. 630.

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Mr. Webster, in 1826, said that the "amount" of President Monroe's declarations was

> that this government could not look with indifference on any combination among other powers to assist Spain in her war against the South American states; that we could not but consider any such combination as dangerous or unfriendly to us; and that if it should be formed, it would be for the competent authorities of this government to decide, when the case arose, what course our duty and our interest should require us to pursue.[1]

In his speech on the Panama mission, Mr. Webster asserted that the declaration "effected much good, answered the end designed by it." It must, he said, be considered as founded on our rights, and as springing mainly from a regard to their preservation.

> It did not commit us, at all events [he said], to take up arms on any indication of hostile feeling by the powers of Europe towards South America. If, for example, all the states of Europe had refused to trade with South America until her states should return to their former allegiance, that would have furnished no cause of interference to us. Or if an armament had been furnished by the allies to act against provinces the most remote from us, as Chili or Buenos Ayres, the distance of the scene of action, diminishing our apprehension of danger and diminishing also our means of effectual interposition, might still have left us to content ourselves with remonstrance. But a very different case would have arisen if an army, equipped and maintained by these powers, had been landed on the shores of the Gulf of Mexico, and commenced the war in our own immediate neighborhood. Such an event might justly be regarded as dangerous to ourselves, and, on that ground, call for decided and immediate interference by us. The sentiments and the policy announced by the declaration, thus understood, were, therefore, in strict conformity to our duties and our interest.[2]

On January 20, 1824, Mr. Clay, with reference to the message of the preceding month, introduced in the House of Representatives the following resolution:

> *Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled*, That the people of these

[1] Cong. Debates, 1825–26, vol. ii, part 2, p. 1807.

[2] Webster's Works, vol. iii, p. 204.

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states would not see, without serious inquietude, any forcible interposition by the allied powers of Europe in behalf of Spain, to reduce to their former subjection those parts of the continent of America which have proclaimed and established for themselves, respectively, independent governments, and which have been solemnly recognized by the United States.[1]

It is generally stated that upon this resolution no action was taken, but the reason is not disclosed. The Annals of Congress, however, show the reason, and it is in more than one aspect very significant. On May 26 Mr. Clay announced that he "should continue to abstain from pressing upon the attention of the House his resolution, and should allow it to sleep, where it now reposes, on the table." The reason he gave for this decision was that the resolution "proposed an expression of the feelings of Congress in regard to an attack supposed to be meditated by allied Europe upon the independence of Spanish America"; that events since the president's message tended to show that, "if such a purpose was even seriously entertained, it had been relinquished"; and that to pass the resolution "in the absence of any sufficient evidence" of such an inimical design, might be thought "unfriendly, if not offensive."[2] Mr. Polk once asserted that if the resolution had been subjected to a vote it would have been defeated.[3] But however this may be, the reason Mr. Clay gave for permitting it to sleep was characteristic of him as a man, and creditable to him as a statesman.

In the view expressed in the House resolution of 1826, that the people should be "left free to act, in any crisis, in such manner . . . as their own honor and policy may at the time dictate," there is certainly great wisdom. To attempt to anticipate particular cases would be a futile experiment; while, if an effort were made to employ terms so general as to cover all future cases, contingencies might arise in which the government would find itself seriously embarrassed by its own unadvised declarations.

[1] Annals of Cong., 1823–24, vol. i, p. 1104.
[2] *Ibid.*, vol. ii, p. 2763.
[3] Cong. Debates, 1825–26, vol. ii, part 2, p. 2489.

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Attempts have frequently been made to trace back the declarations of President Monroe to utterances of other statesmen made long previously. It has even been said that the germs of the declarations are to be found in Washington's proclamation of neutrality in the war between England and France, and in his Farewell Address. But as all the territory of the American continents, except that occupied by the United States, belonged at that time to European powers, and was more or less involved in their contests, it is difficult to understand how the policy of non-intervention which Washington adopted and inculcated, involved the policy which Monroe thirty years later advocated, of intervention in behalf of independent American states against the aims of the Holy Alliance.

III.

Perhaps Senator John Davis, of Massachusetts, spoke too broadly when he declared in 1848 that Monroe's pronouncement was "dead, buried and forgotten" till James K. Polk dug it up. But if Mr. Polk played at all the part of a resurrectionist, he certainly brought forth, as president, something very different from what he, as a member of the House of Representatives twenty years before, had industriously sought to inter. As a grave-digger, in 1826, he regarded Monroe's message of 1823 "as the mere expression of opinion of the executive, . . . designed, probably, to produce an effect upon the councils of the Holy Alliance." "That effect," he admitted, "it probably had an agency in producing; and if so, it had performed its office."[1] He voted against the Panama mission in all its forms.

In 1845 circumstances had changed. In that year Mr. Polk assumed the presidency, committed to a policy that embraced the annexation of Texas at the south, and the maintenance of our claim to the whole of the Oregon territory at the north. This situation is suggestively, but completely, outlined in his annual message of December 2, 1845, in which he says:

[1] Cong. Debates, 1825–26, vol. ii, part 2, p. 2489.

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Lately the doctrine has been broached in some of them [the powers of Europe] of a "balance of power" on this continent to check our advancement. The United States . . . cannot in silence permit any European interference on the North American continent; and should any such interference be attempted, will be ready to resist it at any and all hazards. . . . We must ever maintain the principle, that the people of this continent alone have the right to decide their own destiny. Should any portion of them, constituting an independent state, propose to unite themselves with our confederacy, this will be a question for them and us to determine, without any foreign interposition. We can never consent that European powers shall interfere to prevent such a union, because it might disturb the "balance of power" which they may desire to maintain upon this continent. Near a quarter of a century ago, the principle was distinctly announced to the world, in the annual message of one of my predecessors, that "the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European power." This principle will apply with greatly increased force, should any European power attempt to establish any new colony in North America. . . . Existing rights of every European nation should be respected; but it is due alike to our safety and our interests, that the efficient protection of our laws should be extended over our whole territorial limits, and that it should be distinctly announced to the world as our settled policy, that no future European colony or dominion shall, with our consent, be planted or established on any part of the North American continent.[1]

The first part of this passage, with its tacit reference to a statement made by M. Guizot, is obviously aimed at Texas, and the latter part at Oregon. But it is obvious that President Polk, in pronouncing against the establishment by a European power of any "dominion," — a term which includes the acquisition by voluntary transfer or by conquest of territory already occupied, — asserted something quite different from Monroe's declaration against "colonization." He asserted something which should be called the Polk Doctrine rather than the Monroe Doctrine; and it is to be observed that he restricted the new doctrine — which was to be maintained by

[1] Sen. Doc. 1, 29th Cong., 1st sess., p. 14.

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us without regard to other American powers, and not merely by each of those powers "by its own means" — to the North American continent.

On January 14, 1846, Mr. Allen, of Ohio, asked leave to introduce in the Senate a resolution, which, after reciting the alleged manifestation by "certain powers of Europe" of a disposition to enforce "the European principle" of the balance of power on the "independent nations of America," read as follows:

Resolved, That Congress, thus concurring with the president, and sensible that this subject has been forced upon the attention of the United States by recent events so significant as to make it impossible for this government longer to remain silent, without being ready to submit to and even to invite the enforcement of this dangerous doctrine, do hereby solemnly declare to the civilized world the unalterable resolution of the United States to adhere to and to enforce the principle, that any effort of the powers of Europe to intermeddle in the social organization or political arrangements of the independent nations of America, or further to extend the European system of government upon this continent by the establishment of new colonies, would be incompatible with the independent existence of the nations, and dangerous to the liberties of the people of America, and therefore would incur, as by the right of self-preservation it would justify, the prompt resistance of the United States.[1]

An animated debate took place on the question of leave to introduce this resolution. Mr. Cass, who appeared as the leading advocate of the president's views, particularly called attention to the fact that Mr. Polk, "with more caution" than Mr. Monroe, had limited his declaration to North America, and declared, evidently by inspiration, that he had little doubt that "any attempt to make an English colony of California would present the very case" against which Mr. Polk had "warned his countrymen and the world." Leave to introduce the resolution was granted on January 26 by a vote of twenty-six to twenty-one, Mr. Calhoun, Mr. Crittenden and Mr. Webster voting in the negative. The resolution was referred to the

[1] *Cong. Globe*, 29th Cong., 1st sess., p. 197.

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committee on foreign relations, but never was reported. On June 26, 1846, a treaty was concluded with England by which the administration accepted as the boundary of the Oregon territory the line of forty-nine degrees north latitude. Mr. Allen's resolution slept with the battle-cry of "fifty-four forty or fight."

Mr. Polk, however, asserted his non-colonization doctrine again, before our territorial questions with Mexico were settled, in a special message to Congress of April 29, 1848, in relation to Yucatan. An Indian outbreak having occurred in that country, the authorities offered to transfer "the dominion and sovereignty" to the United States, and at the same time made a similar offer to Great Britain and Spain. President Polk recommended the occupation of the territory by the United States, and in so doing declared that "we could not consent to a transfer of this 'dominion and sovereignty' to either Spain, Great Britain or any other European power."[1] This pronouncement went beyond the Monroe Doctrine in any of its parts. The Monroe Doctrine, in all its parts, was based upon the right of American states, whose independence we had acknowledged, to dispose of themselves as they saw fit. It was directed against the interposition of European powers to control their destiny against their will. Mr. Adams expressed this idea in his diary thus:

> Considering the South Americans as independent nations, they themselves, and no other nation, had the *right* to dispose of their condition. *We* have no right to dispose of them, either alone or in conjunction with other nations. Neither have any other nations the right of disposing of them without their consent.[2]

The Polk Doctrine, on the other hand, would forbid the acquisition of dominion by a European power in North America even by voluntary transfer or cession.

On May 4, 1848, a bill to enable the president "to take temporary military occupation of Yucatan"[3] was introduced in

[1] *Cong. Globe*, 30th Cong., 1st sess., p. 709.
[2] Adams's Memoirs, vol. vi, p. 186.
[3] *Cong. Globe*, 30th Cong., 1st sess., p. 727.

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the Senate, and its passage was urged on grounds both of humanity and of national policy. But on May 18 Mr. Hannegan, a warm supporter of the administration, who had reported the bill from the committee on foreign relations, of which he was chairman, asked that it be informally passed over, as news had been received of the conclusion of a treaty between the whites and the Indians. This disposed of the question of humanity, if not of the question of policy; but the bill was not again called up.[1] In the course of the debate to which it gave rise, Mr. Hannegan pointed out that President Monroe "embraced in his declarations both the North and the South American continents, while Mr. Polk had uniformly restricted himself to the former."[2]

On January 4, 1853, Mr. Cass introduced in the Senate a resolution compounded of the Monroe Doctrine and the Polk Doctrine, with special application to Cuba. It was as follows:

Be it resolved, &c., That the United States do hereby declare that "the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European power." And while "existing rights should be respected," and will be by the United States, they owe it to their own "safety and interests" "to announce, as they now do, that no future European colony or dominion shall, with their consent, be planted or established on any part of the North American continent." And should the attempt be made, they thus deliberately declare that it will be viewed as an act originating in motives regardless of their "interests and their safety," and which will leave them free to adopt such measures as an independent nation may justly adopt in defense of its rights and its honor.

And be it further resolved, That while the United States disclaim any designs upon the Island of Cuba, inconsistent with the laws of nations and with their duties to Spain, they consider it due to the vast

[1] *Cong. Globe*, 30th Cong., 1st sess., p. 778.

[2] Mr. Cass, arguing in favor of the occupation of Yucatan, said: "Yucatan has a right to go where she can, with her sovereignty in her hand, and demand protection from the powers of the earth, and offer her own allegiance in return for it. . . . That she may do so, without giving us any just cause of offense whatever, and thus accomplish her mission without being involved in any controversy with us, is too clear to be called in question."

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importance of the subject, to make known in this solemn manner, that they should view all efforts on the part of any other power to procure possession, whether peaceably or forcibly, of that island, which as a naval or military position must, under circumstances easy to be foreseen, become dangerous to their southern coast, to the Gulf of Mexico and to the mouth of the Mississippi, as unfriendly acts, directed against them, to be resisted by all the means in their power.[1]

On this resolution no action was taken, though it gave rise to a debate, one of the features of which was the presentation by Senator John P. Hale, of New Hampshire, of an amendment to make the resolution apply to Canada as well as to Cuba, a proposition which Mr. Cass endeavored to treat with as much contempt as was possible under the circumstances.

It will be observed that in all these discussions of the Monroe Doctrine after its revival in 1845, attention was confined to the non-colonization clause, as misinterpreted by Mr. Polk. The reason for this fact is that it was understood that Monroe's declaration against the extension by the allied powers of "their system" to any portion of this hemisphere, related to the system of the Holy Alliance, and that it had, as Mr. Polk and Mr. Webster said in 1826, performed its office and answered the end designed by it. This understanding was clearly expressed by Mr. Cass, the most strenuous and advanced of the revivalists, in 1856. In a debate in that year he said that the message of Monroe meant (1) that it was "impossible for the allied powers to extend their political system to any part of America, without endangering our peace and happiness," and (2) that the American continents "were henceforth not to be considered as subjects for future colonization by any European power."

It is extraordinary, sir, [he continued] that any one could suppose that these declarations had reference only to the peculiar position of the Spanish colonies. *The first had*, but the second was addressed to all nations, and was intended to operate during all time.

[1] *Cong. Globe*, 32d Cong., 1st sess., p. 199.

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From the foregoing review it is manifest:

1. That the so-called Monroe Doctrine was a measure of defense, not of aggression.

2. That it was directed against a threatened intervention by a combination of European powers for the purpose of reducing independent American states to subjection to a European power. We told them that we should consider "any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety." What was their "system"? In its internal manifestation it meant the maintenance of an absolute and despotic government, denying liberty and representation to the citizen, suppressing freedom of speech and of the press, and treating even the advocacy of liberal ideas as a crime; in its external manifestation it meant intervention such as took place in Piedmont, Naples and Spain, for the purpose of putting down constitutional governments and setting up absolute and despotic governments in their place. It was not possible for the United States to contemplate with indifference the establishment of such governments, in a spirit of aggression, from the northern borders of California and Mexico to Cape Horn.[1]

3. That while, in the course we took, we acted with a regard to our own peace and safety, we did not assume to dictate to other American states the course they should pursue.

4. That, in our declaration in regard to future colonization, we had in mind our own interests and primarily our territorial dispute on the northwest coast; that, in announcing the principle, we did it in general terms, intending to recommend it to other independent American states for adoption as a part of

[1] *Cong. Globe*, 34th Cong., 1st sess., appendix, p. 69. Edward Livingston, in a speech made in the House of Representatives in 1826 in advocacy of the Panama mission, said that the declaration in regard to the allied powers, "related only to the state of things that then existed. It was made when all the great powers of Europe, except Great Britain, were confederated for the avowed purpose of putting down representative government in Europe; when the object of the confederation had been effected in Naples and was in full operation against Spain, and when the extension of the same principles to America, then not only a probable event, but one known to be the subject of deliberation, would have endangered our own political institutions." Cong. Debates, vol. ii, part 2, p. 2212.

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their policy; and that, far from intending to pledge ourselves to help other independent states to maintain their boundary claims, we were not even willing to pledge ourselves to maintain our own.

IV.

The recrudescence of the Monroe Doctrine which we have witnessed in the last few years is distinguished by the exhibition of certain illusions, chief among which is the notion that we owe the preservation of our liberties to the full and precise maintenance of the declarations of 1823 in the perverted and exaggerated sense in which they have at certain subsequent periods been construed. The following examples will show the erroneous character of this notion.

In 1829 the government of Buenos Ayres, claiming to act as successor to the rights of Spain, appointed a governor for the Malvinas or Falkland Islands, and established a colony there. In due time some of our citizens, while engaged in killing seals on the islands, were arrested and their ships confiscated. Not long afterwards a United States man-of-war called at the islands, released the citizens and the ships, and arrested and deported the Buenos Ayrean governor and colonists. The British government then resumed possession of the islands. The Argentine government to this day maintains that these proceedings involved a gross violation of the Monroe Doctrine. We have never admitted it.

In 1835 representations were made to the United States by the government of Central America that the British were extending their settlements in Balize into Guatemala, and our mediation was invoked on the ground that "it had always been the policy of the United States to prevent and resist European settlements in America." President Jackson and his cabinet declined to take any action on the subject.

In 1828 Brazil and Buenos Ayres, by a treaty concluded through the mediation of England, recognized the independence of what now constitutes the Republic of Uruguay. In 1844 Brazil invoked the intervention of England and France to protect

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the independence of Uruguay against a Buenos Ayrean attack. In compliance with this request those governments in 1845 instituted a blockade of the coasts of Buenos Ayres. Against this act of intervention the United States made no protest.

By the treaty with Great Britain of 1846, terminating the Oregon dispute, we divided a territory of upwards of six hundred thousand square miles, to the whole of which Mr. Polk had pronounced our title to be "clear and unquestionable." No one then believed that in yielding half of this territory to the colonization and government of an European power, we endangered our peace and safety.

In 1848, while the question of occupying Yucatan was before the Senate, a report appeared in the press concerning British aggressions in Venezuela. It was stated by a "writer who appeared to be well informed upon the subject," that the British had in 1841 encroached on Spanish Guiana to the extent of twenty thousand square miles, and that they had since extended their possessions to the whole of Spanish Guiana, amounting in all to a hundred and eighty thousand square miles, or nearly double what they are said now to claim. Mr. Niles, a senator from Connecticut, brought the subject to the attention of the Senate, as a warning against the responsibilities that might be involved in the views which he understood certain members of the Senate to hold. The advocates of these views do not, however, appear to have referred to the subject, unless there was such a reference by Mr. Cass, when he said :

> The honorable Senator from Connecticut (Mr. Niles) considers the reiteration of the principle by the present executive, and perhaps its original annunciation by Mr. Monroe, as the claim of a right to regulate all the affairs of this continent, so far as respects Europeans. But this, sir, is an entire misconception of the whole subject. It has, however, prevailed somewhat extensively, both here and elsewhere, though it seems to me that the slightest consideration of the messages referred to would have corrected, or rather prevented, this flagrant error. Neither of these presidents, the past or the present, assumed to interfere with any existing rights of other nations upon this continent. Neither of them called in question their right to hold and improve the colonies they possessed, at their own pleasure. Such an

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assumption would have been equally obtrusive and ineffectual; and how the opinion could have prevailed that has been advanced, no one can tell; for, in the documents themselves, the true doctrine is cautiously guarded and existing rights considered as unassailable.

The Clayton-Bulwer treaty of 1850, and not the Monroe Doctrine, placed the first actual restriction upon the extension by a European power of its dominion in this hemisphere.

If those who imagine that our liberties have been preserved by the Monroe Doctrine are asked to show what it has accomplished since it answered its original design, they invariably point to the retreat of the French from Mexico. But we did not on that occasion profess to act upon the Monroe Doctrine. Our position rested upon the principle of opposition to manifest and dangerous aggression, and doubtless would have been the same if President Monroe's message had never been written. On January 15, 1811, twelve years before that message was published, Congress, in secret session, "taking into view the peculiar situation of Spain and her American provinces," and "the influence which the destiny of the territory adjoining the southern border of the United States might have upon their security, tranquillity, and commerce," resolved that the United States could not "without serious inquietude, see any part of said territory pass into the hands of any foreign power"; and the president was authorized to occupy all or any part of the Floridas, "in the event of an attempt to occupy the same, or any part thereof, by any foreign government." [1]

V.

At the present time an idea seems to prevail that the Monroe Doctrine committed us to a kind of protectorate over the independent states of this hemisphere, in consequence of which we are required to espouse their quarrels, though we cannot control their conduct. To state this theory is to refute it. Like other independent nations, we are at liberty to act with some regard to our own interests. We should, indeed, always be ready to extend

[1] U. S. Stats. at Large, vol. iii, p. 471.

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the good offices of friendship in every proper case. But the idea that our position is that of an involuntary military force, at the beck and call of every American state that may stand in need of it, and that we are to supply their deficiencies in men and in money, in order that they may conduct their controversies with European powers on a basis of equality in force and resources, is an idea that must be repugnant to the sense of every reflecting man.

We have not assumed to forbid European powers to settle their quarrels with American states by the use of force any more than we have hesitated to do so ourselves. In 1861 we admitted the right of France, Spain and Great Britain to proceed jointly by force against Mexico for the satisfaction of claims. Indeed, Mr. Seward, in an instruction to our minister to France of June 21, 1862, said:

> France has a right to make war against Mexico, and to determine for herself the cause. We have a right and interest to insist that France shall not improve the war she makes to raise up in Mexico an anti-republican or anti-American government, or to maintain such a government there. France has disclaimed such designs, and we, besides reposing faith in the assurances given in a frank, honorable manner, would, in any case, be bound to wait for, and not anticipate, a violation of them.

It was not till these assurances were violated, that Mr. Seward protested.

In 1842 and again in 1844, Great Britain blockaded the port of San Juan de Nicaragua. In 1851 the same power laid an embargo on traffic at the port of La Union, in Salvador, and blockaded the whole coast of that country. In 1862 and 1863 the same power seized Brazilian vessels in Brazilian waters in reprisal for the plundering of the bark *Prince of Wales* on the Brazilian coast. In 1838 France blockaded the ports of Mexico as an act of redress for unsatisfied demands. From 1865 till some scarcely defined date Spain was at war with the republics on the west coast of South America. The bombardment of Valparaiso by a Spanish fleet was a prominent incident of the conflict. It was in respect of this conflict that

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Mr. Seward, in an instruction to Mr. Kilpatrick, our minister to Chili, of June 2, 1866, while declaring that we did not intervene in wars between European and American states "if they are not pushed, like the French war in Mexico, to the political point," said:

> Those who think that the United States could enter as an ally into every war in which a friendly republican state on this continent becomes involved, forget that peace is the constant interest and the unwavering policy of the United States. They forget the frequency and variety of wars in which our friends in this hemisphere engage themselves, entirely independent of all control or counsel of the United States. We have no armies for the purpose of aggressive war; no ambition for the character of a regulator. Our constitution is not an imperial one, and does not allow the executive government to engage in war except upon the well considered and deliberate decree of the Congress of the United States. . . . If there is any one characteristic of the United States which is more marked than any other, it is that they have from the time of Washington adhered to the principle of non-intervention, and have perseveringly declined to seek or contract entangling alliances, even with the most friendly states.[1]

In 1846 we ourselves went to war with Mexico. In 1854 the commander of one of our men-of-war, having failed to obtain from the town of Greytown an indemnity of $24,000 for the seizure and destruction of property, and an apology for an affront to the American minister by some of the inhabitants of the place, bombarded it, and afterwards, "in order to inculcate a lesson never to be forgotten," burned such buildings as were left standing. In 1859 we sent an expedition to obtain redress from Paraguay. In 1890, while the Pan-American Conference was in session, Congress passed an act to authorize the president to use force to collect a claim from Venezuela. In 1892 we sent an ultimatum to Chili, with which she had the wisdom to comply.

The suggestion has been made that it is a violation of the Monroe Doctrine for a European power to employ force against an American republic for the purpose of collecting a

[1] Dip. Cor., 1866, part ii, p. 413.

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debt or satisfying a pecuniary demand, whatever may have been its origin. As has been seen, there is nothing in President Monroe's declarations even remotely touching this subject; and the examples I have given of the employment of force by the United States as well as by other powers for such objects show that the American republics have not heretofore been supposed to enjoy so desirable an exemption. But I think I can trace the idea to its origin. In Wharton's *International Law Digest*, under the section entitled "Monroe Doctrine," there is the following sentence: "The government of the United States would regard with grave anxiety an attempt on the part of France to force by hostile pressure the payment by Venezuela of her debt to French citizens." The authorities cited for this statement are two alleged manuscript instructions of Mr. Blaine to our minister to France, of July 23 and December 16, 1881. The whole matter is, however, erroneously stated. Both the instructions are published in the volume of Foreign Relations for 1881. They refer, not to "hostile pressure," but to a rumored design on the part of France of "taking forcible possession of some of the harbors and a portion of the territory of Venezuela in compensation for debts due to citizens of the French republic." They nowhere express any "grave anxiety." They do not mention the Monroe Doctrine. They merely argue that such a proceeding as that reported to be in contemplation would be unjust to other creditors of Venezuela, including the United States, since it would deprive them of a part of their security. And they express the "solicitude" of the government of the United States "for the higher object of averting hostilities between two republics for each of which it feels the most sincere and enduring friendship." It is plain that this development of the Monroe Doctrine, based upon the erroneous passage in Wharton's *Digest*, has no actual foundation whatever.

In April last a great outcry was raised over an alleged violation of the Monroe Doctrine by certain proceedings at Corinto. The facts were that on August 16, 1894, the Nicaraguan commissioner at Bluefields, Señor Madriz, invited a number of

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persons, including two citizens of the United States and twelve British subjects, one of whom was the British pro-consul, to call at his office. Each one of the persons so invited laid aside his business and proceeded to the commissioner's office. When they arrived there, they were ushered in, but not into the presence of the commissioner. On the contrary, they were arrested and forcibly deported from the country. No information as to the cause of their arrest was given them. They were denied all opportunity to arrange their business or to visit their families before their forcible expulsion. The two American citizens were in the following October permitted to return to the country under circumstances tending to soothe their feelings. Some of the British subjects were "pardoned," and permitted to return towards the close of December. Among those not "pardoned" was the British pro-consul, Mr. Hatch. For the violent treatment of her consular representative Great Britain exacted a fine of $75,000 as punitive damages or "smart money." The amount of the fine, though large, was not so large as to involve the independence of the country, and its payment did not entail so great a general loss, to say nothing of individual suffering, as would have resulted from the bombardment and destruction of a commercial town. The question of the private losses of her subjects Great Britain offered to leave to arbitration. It is obvious that these proceedings involved neither the Monroe Doctrine nor the Polk Doctrine.

JOHN BASSETT MOORE.

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THE FRENCH IN MEXICO AND THE MONROE DOCTRINE.

EVER since the Spanish yoke had been thrown off, in 1821, Mexico had been constantly subject to revolution and counter-revolution, generally led by some chief of either the Liberal or the Clerical party. In forty years there had been nearly forty revolutions, and over seventy different supreme executives. Government was hardly more than a name. Assaults and murders were frequent in the capital, guerilla warfare was common in the provinces, and banditti infested the highways. Even the British legation had been robbed of about $600,000 in coin. So insufferable had become the outrages upon foreigners that the French and English ministers had loudly protested, and President Buchanan, in his last annual message, had recommended intervention on the part of the United States to obtain indemnity. In 1861 the constitutional president was Benito Juarez. He was a full-blooded Indian, but a man of character, ability and extraordinary attainments. Although Miramon, the leader of the Church party, had been completely defeated and had fled from Mexico, leaving the party without organization, yet it did not cease to plot. Juarez and the Liberals about him had some honest and statesmanlike purposes, but they had not the power to conquer the disorders or to correct the grievances. England, France, Spain and the United States had claims against Mexico amounting to more than eighty million dollars. Mexican finances were in ruins. The annual governmental expenses alone exceeded the revenues by nearly a million dollars. In July, 1861, the Mexican Congress sought temporary relief by passing an act suspending for two years the payment of all foreign debts. This brought matters to a crisis.

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I.

The question of European intervention in order to compel Mexico to respect her obligations had often been discussed. Now England, France and Spain decided to take matters into their own hands. Aside from the actual grievances of these powers, each had its notion of the probable results of intervention. Spain had not yet become fully reconciled to the loss of her American colonies, and she thought of a throne for a Bourbon prince. England very reasonably believed that no intervention should go beyond the point of seeking redress for actual injuries.[1] France had several aims, soon to be noticed. On the 31st of October, 1861, these three powers signed a convention in London by which they agreed to demand jointly from Mexico "more efficacious protection for the persons and properties of their subjects, as well as a fulfillment of the obligations contracted toward their Majesties." Article second of the convention read:

> The high contracting parties engage not to seek for themselves, in the employment of the coercive measures contemplated by the present convention, any acquisition of territory nor any special advantage, and not to exercise in the internal affairs of Mexico any influences of a nature to prejudice the right of the Mexican nation to choose and to constitute freely the form of its government.[2]

Toward the end of 1861 ships of Spain, France and England sailed for Vera Cruz with the avowed intention of taking possession of the custom-houses of two or three of the principal Mexican ports, and of satisfying their claims from the receipts.

Within a few weeks after the arrival of these troops, and before the allies had done much more than seize Vera Cruz, the English and the Spanish leaders became dissatisfied with the actions, and suspicious of the intentions, of the French. Having soon reached an agreement with Mexico as to the claims of

[1] Earl Russell's Speeches and Dispatches, vol. ii, p. 484.
[2] H. R. Exec. Doc. no. 100, 37th Cong., 2d sess., pp. 136, 137.

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their respective governments, the forces of England and Spain withdrew in April, 1862. The triple alliance was dissolved, and the French were left with a free hand.

Before sketching the subsequent actions of France, it is interesting to consider whether the intervention of the allies was thought to have violated what is commonly known as the Monroe Doctrine. The pith of that doctrine is expressed by the following sentences from Monroe's famous annual message of 1823:

> We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers [the members of the Holy Alliance], to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered, and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as a manifestation of an unfriendly disposition towards the United States.

The three allies had not only agreed among themselves not to prejudice the right of the Mexican nation to choose and constitute freely the form of its government, but they had invited the United States to join with them in compelling Mexico to respect her obligations. The United States declined to become a party to the London convention chiefly for two reasons: they preferred to adhere to their traditional policy which forbade them to make alliances with foreign nations; and, secondly, they did not feel inclined to resort to forcible remedies for their claims at that time, when the government of Mexico was deeply disturbed by factions within, and by war with foreign nations.[1] In the same communication in which these reasons were set forth, Secretary Seward volunteered the statement that

[1] Seward to the Ministers of Spain, France and England. Doc. 100, p. 189.

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the President does not feel himself at liberty to question, and he does not question, that the sovereigns represented have [the] undoubted right to decide for themselves the fact whether they have sustained grievances, and to resort to war with Mexico for the redress thereof, and have the right also to levy war severally or jointly.

Neither at this time, nor subsequently, did he suggest that the Monroe Doctrine had been violated by the three powers.

II.

From beginning to end the Mexican expedition was the most curious scheme of the Second Empire. Like many of the ideas of Napoleon III, it was too grand for formulation before execution, and too odious for explanation thereafter. His political aims really took precedence over what were known as French "grievances." The Italian war had left many thorns in his path. Austria bore him much ill-will. The Pope had not forgotten how Napoleon III had injured his temporal power. The republican opposition at home was very ominous to the so-called "*grande politique impériale.*" Leaving out of consideration the promptings of Napoleon's ill-balanced ambition, the Mexican revolution seemed to present just the opportunity, by accepting which, Austria might be appeased, the Holy Father be induced to smile benignly, and the French republicans reduced to a patriotic hush or to an odious opposition. Nor was commercial France always forgotten. As the United States were occupied in a great civil war, Napoleon thought he saw a chance to prevent their commercial preponderance in the western hemisphere, by laying in Mexico the foundations of French supremacy, so as to turn the tide of race predominance in the Americas in favor of the Latins.

After the English and the Spanish retired from Vera Cruz the French soon showed that they had never intended to be bound by the London convention. In the most summary manner France presented her ultimatum to Mexico in the shape of a claim for $27,000,000: twelve millions

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were demanded as an indemnity for alleged injuries which French subjects had suffered, but which France would not deign to itemize; and the remaining fifteen millions were for government bonds which the revolutionary Clerical government of Miramon had given to a Swiss banker, Jecker, for $750,000 in cash, by the aid of which it had been hoped that the constitutional government of Juarez might be overthrown. Payment being an impossibility, as the French well knew long before, they began a forced march toward the City of Mexico. On approaching Puebla the vanguard lost two thousand men. At the town itself they met with a most humiliating repulse. Thereupon large reënforcements were called for, and in a few months the French army amounted to about thirty-five thousand men. In May, 1863, Puebla finally fell into the hands of the French, and early in June they triumphantly entered the Mexican capital.

If any one still doubted Napoleon's intention to overthrow the Mexican republic, all uncertainty must have been dispelled very soon. The commander of the expedition, General Forey, and the French minister, de Saligny, took matters into their own hands. They selected a junta, or provisional government, composed of thirty-five members, who chose three Regents as an executive head, and later named an Assembly of Notables of 215 persons. With hardly an exception the members of this improvised government were enemies of the constitutional president, Juarez. In accordance with the program the assembly met in July, 1863, and without debate, and with only two voices in the negative, voted that an empire be established; that the Archduke Maximilian of Austria, brother of Francis Joseph, should be invited to accept the throne; and that if he should decline it, the Emperor of the French should be asked to fill the vacancy. Maximilian expressed his willingness to accept the offer if a Mexican *plébiscite* should result in his favor, and if he could obtain from other sources such guarantees as would seem to protect the integrity of Mexico. During the next year the imperial army, composed mainly of French soliders, caused many of the smaller cities and villages of

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Mexico to surrender to the new government. By the spring of 1864 all doubt had been settled in the mind of Maximilian, and his scruples in favor of a national *plébiscite* were satisfied without an actual vote. On the day on which Maximilian finally accepted the crown, April 10, 1864, a convention was entered into between France and the imperial government of Mexico, by which Mexico agreed to pay the French claims and the past and future cost of the intervention, under certain conditions; and France practically guaranteed to Maximilian her military protection.[1] In June, 1864, Maximilian I made a brilliant entry into the City of Mexico. His pious and sentimental mind was crowded with liberal ideas, for he really hoped to regenerate his new country. But his throne rested on the shoulders of the French troops.

During the time the French were executing these plans of intervention the Civil War was engrossing nearly the entire physical and intellectual strength of the United States. Even the most hopeful, like Lincoln and Seward, were now and then forced to doubt the complete success of the Union cause. In addition to this, as the dispatches of the United States and of the Confederacy show, Napoleon and his minister at Washington were constantly hopeful of Confederate success; and more than once France was at the very point of actual interference to stop our war. It is not strange that in these circumstances Seward's course was not altogether steadfast: he had to avoid the greatest dangers and leave theories to the future.

Before the triple alliance was dissolved, there had been a strong but mistaken suspicion that the powers were bent on doing jointly what France designed to do alone. In view of this Seward wrote to Dayton, our minister at Paris, that no monarchical government, founded in Mexico in the presence of foreign navies and armies, would have any prospect of security or permanency; and that the instability of such a monarchy there would be enhanced if the throne should be assigned to any person not of Mexican nativity.[2] Late in March, 1862, the Department of State received its first definite

[1] 3 Dip. Cor. 1864, 74, 75. [2] Doc. 100, 217.

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information of the aims of the French. Thereupon Dayton was instructed to inform the French minister of foreign affairs that we could not look with indifference upon any armed European intervention in Mexico for political ends.[1] But our military campaigns of the spring of 1862 were so engrossing that the Mexican question was postponed, on the ground, as Seward explained, that "nations no more than individuals can wisely divide their attention upon many subjects at one time."[2] While France was frequently interrogated, and was permitted to infer that Seward thought her avowals and actions not altogether consistent, he never indicated plainly that he questioned her sincerity. Not knowing what we could afford to risk for Mexico, he discreetly awaited events, not feeling, as he wrote, at liberty to reject the explanations of France or to anticipate a violation of her assurances.[3]

Toward the end of the year 1863 the French minister of foreign affairs, Drouyn de Lhuys, intimated that if the United States would early recognize the proposed empire, such action would be agreeable to France and would hasten the withdrawal of her troops. Seward's answer must have been as unsatisfactory as it was adroit. He said that the United States were determined to err, if at all, on the side of strict neutrality in the war between France and Mexico; that they were still of the opinion that the permanent establishment of a foreign or monarchical government in Mexico would be found neither easy nor desirable; and that the United States could not do otherwise than leave the destinies of Mexico in the keeping of her own people, and recognize their sovereignty and independence in whatever form they themselves should choose.[4] These statements were doubtless intended to convey the impression that the United States would not invoke the Monroe Doctrine.

Congress and the newspapers could not understand the wisdom of trying to conquer the Confederacy before seeking hostilities abroad. They had great contempt for what they styled Seward's cowardice. In January, 1864, McDougal of Cali-

[1] Doc. 100, 218.
[2] Dip. Cor. 1862, 471.
[3] *Ibid.*, 1862, 749.
[4] *Ibid.*, 1863, 726.

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fornia introduced into the Senate a series of resolutions which declared it to be the duty of our government to require France to remove her armed forces from Mexico; and the resolutions further called for the negotiation of a treaty by which we should engage to prevent the possible interposition of any of the European powers in the affairs of Mexico.[1] Fortunately there were enough prudent men in the Senate to cause these resolutions to be laid on the table. But in April the House declared unanimously that it would not accord with the policy of the United States to acknowledge a monarchical government, erected on the ruins of any republican government in America under the auspices of any European power.[2] Dayton reported that the European press inferred from this that either France or the United States would soon have to make a change of policy.[3] When he called upon Drouyn de Lhuys shortly after the report of these resolutions reached Paris, the first words of the French minister were: "Do you bring us peace, or bring us war?"[4] Seward had already taken the precaution to inform Dayton that the extravagant opinions entertained at the Capitol were "not in harmony with the policy of neutrality, forbearance and consideration which the president has so faithfully pursued."[5] After the passage of the House resolution, he caused the French government to be reminded that the question of the policy toward Mexico was an executive one, unless two-thirds of both houses should agree; that the president did not at present contemplate a departure from the policy hitherto pursued; and that in any case France would be seasonably apprised of any change.[6] But for such declarations as these — in opposition to the prevalent opinion of the people of the United States — it is practically certain that Napoleon would have felt compelled to strike at us in our weakness, and while he was still master of affairs at home and in Mexico.

The chief aim of the secretary of state during the years 1863 and 1864, so critical on account of our military campaigns, was

[1] McPherson, History of the Rebellion, 348, 349.
[2] *Ibid.*, 349.
[3] Dispatch of Apr. 22, 1864.
[4] 3 Dip. Cor. 1864, 76.
[5] Dispatch Jan. 12, 1864.
[6] 3 Dip. Cor. 1865, 356, 357.

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to avoid the active disfavor of France, but still to keep her informed that her invasion of Mexico was not approved. He gave no heed to the popular clamor against Napoleon. "But why should we gasconade about Mexico, when we are in a struggle for our national life?" he wrote to an intimate friend at Paris.[1] However, when Dayton informed him of Maximilian's final acceptance, he was not wanting in decision, and replied, that if our precautions should

> fail to secure us against oppression, we shall then, I trust, be able to rise without great effort to the new duties which in that case will have devolved upon us. I remain now firm, as heretofore, in the opinion that the destinies of the American continent are not to be permanently controlled by political arrangements that can be made in the capitals of Europe.[2]

III.

After the summer of 1864 the fortunes of Napoleon and of poor Maximilian did not brighten. The Liberal party in Mexico had confiscated most of the enormous possessions of the Catholic Church. It was the Clerical party that had planned and encouraged foreign intervention, with the firm conviction that thereby the lost riches of the church could be regained. Probably Napoleon had given assurances of this nature; but the French found that much of the former property of the church had fallen into the hands of their fellow-citizens. Maximilian was preëminently a Catholic prince; and it was confidently believed that he would champion the cause of his church. But he sincerely sought to conciliate all parties. As a result he received the full support of none. The Clericals could never accept one who disobeyed the injunctions of the Pope, and the Liberals would never yield to an emperor. Many of the Clericals were soon denouncing Napoleon and Maximilian as bitterly as were any of the Liberals. Moreover, neither Maximilian nor any of his trusted friends had any executive ability. Able men would have organized a new financial system, but Maximilian had to depend upon the French budget as much as upon the French troops.

[1] May 21, 1864, MS. [2] 3 Dip. Cor. 1865, 759.

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But despite all this and the growing strength of the French republicans, Napoleon was determined to keep Maximilian on his throne long enough for France either to secure out of Mexican taxes and mines partial compensation for her expenses, or else to get possession of some of the richest Mexican territory. He would probably have succeeded in one or both, if the Federal army had not overthrown the Confederacy.

The conclusion of our Civil War removed all reasonable objection to a bolder and more candid discussion of the real significance to the United States of the *status* in Mexico. Seward no longer feared the results of a conflict with France; but diplomacy had been so potent in other directions, that he believed it could be used to undermine Maximilian's empire and to persuade Napoleon that he was attempting an impossibility. The United States kept up friendly relations with Juarez's government and declined to recognize Maximilian. As late as June 3, 1865, Seward informed Mr. John Bigelow, then our minister at Paris, that the policy toward Mexico had undergone no change. Soon after this he stated that there was a growing disposition to find a *casus belli* in the political situation in Mexico.

Grant and Sheridan and many of the officers of the regular army were eager to go to war with France. In the spring of 1865 Sheridan had been ordered to western Texas, where some of the Confederates still held out. After they disbanded, he gathered a large army along the Rio Grande, ready to invade Mexico as soon as the war sentiment of the army and of many of the politicians could overcome President Johnson's confidence in Seward's diplomacy. Sheridan's *Memoirs* show how bitterly he resented Seward's influence for peace.

As a sort of compromise between continuing the policy of neutrality and adopting the bellicose ideas of the soldiers and the politicians, Seward caused General Schofield to be sent to Paris to advise with Mr. Bigelow and to impress France with the danger of war. In the autumn of 1865 Seward's instructions to Mr. Bigelow became much bolder and more direct. In a long dispatch of September 6, 1865, he said in substance:

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For many years there has been a traditional friendship between France and the United States which has been cherished quite regardless of political conditions in either country. The United States favor republican institutions on the American continent. French intervention in Mexico has been antagonistic to this position and has tended to prevent the republican sovereignty of Mexico from asserting itself. The national policy of the United States springs from the national will, and not from the will of any president or administration. Heretofore the national will has been directed mainly toward the suppression of a rebellion; having accomplished this it will soon turn to the Mexican question. France and the United States have armies confronting each other on the Mexican border; and although each has heretofore practiced prudence toward the other, "a time seems to have come when both nations may well consider whether the permanent interests of international peace and friendship do not require the exercise of a thoughtful and serious attention to the political question to which I have thus adverted."

On November 6 another step in advance was taken. Seward declared that Maximilian's government was in direct antagonism to the fundamental policy and principle of our own. Therefore it could not be recognized; nor were the United States prepared to pledge themselves thereafter to recognize any political institutions in Mexico which were in opposition to the republican government there.[1] This was a diplomatic way of saying that thenceforth the republican interests in Mexico and those of the United States would be united. This serious meaning was so plain to the French minister of foreign affairs, that he felt constrained to remark, after Mr. Bigelow had finished reading the dispatch, that its contents gave him neither pleasure nor satisfaction.[2]

Still Napoleon deferred accepting the logic of the situation; he waited blindly, as if expecting a miracle to save him and Maximilian. But before the end of 1865 practically everybody in the United States agreed that French intervention must

[1] 3 Dip. Cor. 1865, 422. [2] *Ibid.*, 427.

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speedily be brought to an end. On December 16, 1865, Seward sent France what may be called an ultimatum, the most important part of which read as follows :

It has been the President's purpose that France should be respectfully informed upon two points, namely :

First. That the United States earnestly desire to continue to cultivate sincere friendship with France.

Second. That this policy would be brought into imminent jeopardy, unless France could deem it consistent with her interest and honor to desist from the prosecution of armed intervention in Mexico, to overthrow the domestic republican government existing there, and to establish upon its ruins the foreign monarchy which has been attempted to be inaugurated in the capital of that country.[1]

This was as plain as if Seward had written : *Withdraw or fight.* After considering the matter for several weeks Napoleon concluded that he could not afford to risk a war with the United States. On April 5, 1866, *Le Moniteur*, his official organ, announced that the French troops would evacuate Mexico in three detachments ; namely, in November, 1866, and in March and November, 1867.[2] Thus the question of French intervention in Mexico seemed to be settled.

When the time came for the departure of the first third of the French army, Seward was informed by the American minister in Paris that Napoleon had decided to postpone the withdrawal of all of his troops until the spring of 1867.[3] Seward replied by cable under date of November 23, 1866:

We cannot acquiesce —

First. Because the term "next spring," as appointed for the entire evacuation, is indefinite and vague.

Second. Because we have no authority for stating to Congress and to the American people that we have now a better guarantee for the withdrawal of the whole expeditionary force in the spring than we have heretofore had for a withdrawal of a part in November.

And third, in substance, because such delay would seriously conflict with the plans of the United States.[4]

[1] 3 Dip. Cor. 1865, 490, 491.
[2] 3 Dip. Cor. 1865, 827.
[3] 1 Dip. Cor. 1866, 364.
[4] *Ibid.*, 366, 367.

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Napoleon intended to withdraw his troops, but he wished to postpone their departure as long as possible, in the interest of French securities and to ward off the disgrace of his own unscrupulous scheme to use Maximilian and the Mexicans. In the hope of gaining time, at least, he soon proposed that a Mexican provisional government be formed to the exclusion of both Maximilian and Juarez. But Seward had long since declined to change our friendly relations with Juarez's government, although it had been a fugitive one for several years. During the early part of 1866, Sheridan had supplied the Mexican Liberals with as many as 30,000 muskets, and Juarez had won back most of the northeastern part of Mexico.[1] Seward now knew that he could positively decline all further negotiations for delay without causing a war; and the avoidance of war he wisely thought more important than a needless display of American enthusiasm and power. So, on January 18, 1867, he positively declined Napoleon's proposition.[2] Napoleon then gave up his false hopes. On March 5, 1867, the French evacuated the City of Mexico, and by the 18th European intervention had come to an end. Troops of the Mexican Liberals swept into the evacuated places like a huge wave. In a few weeks Maximilian's forces were routed, and the emperor and two of the most prominent of his Mexican supporters were made prisoners. They were soon tried by court-martial, and on April 19, 1867, they were shot.

IV.

One of the striking facts connected with the negotiations about French intervention in Mexico is that the Monroe Doctrine, though constantly appealed to at the time by the sensational newspapers and the politicians, seems not once to have been mentioned in any official dispatch of our government.[3]

[1] Sheridan's Memoirs, ii, 224.

[2] 1 Dip. Cor. 1867, 218.

[3] [From a letter to *The Nation*, January 30, 1896, p. 96, it appears that Mr. Seward, in a dispatch to our minister at Madrid in April, 1863, expressly disapproved a declaration of opinion by the minister to the effect that the French intervention in Mexico violated the Monroe Doctrine. This dispatch of disapproval was, by Mr. Seward's direction, read to the French minister of foreign affairs. — EDS.]

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Why was it not appealed to by the United States when the allies seized Vera Cruz? Clearly because everybody knew that unless the allies disregarded their own pledges their acts would in no way violate that doctrine. If they should attempt to revolutionize Mexico, then it would be time to protest. England and Spain kept their agreements. To have protested against what they did would have been to applaud anarchy and to discourage order and honor in international relations.

With France the case was entirely different. She violated the doctrine continuously for five years. Doubtless one of the reasons why Seward made no reference to the Monroe Doctrine by name was that he knew it to be no part of international law. It had no authority of its own, and no claim even to consideration except where it was used as a general term to express a protest against European interference which endangered substantial and vital interests of our own government. Foreign nations would yield to it only in proportion as it was reasonable and as they feared the military strength ready to support it. Seward was not as wise as we think, if he did not see that all the reason of the Monroe Doctrine would be equally strong and even more impressive if stated *ad hoc* in his own words, and without reference to the very different circumstances of the previous half century. The attempt of France to establish an empire upon our southwestern border really threatened our welfare. Whenever European intervention affects any interest of the United States which is worth fighting about, the term Monroe Doctrine, as such, is absolutely superfluous, because the actual or threatened danger is ample ground for action. Whenever the interest affected is inconsiderable, the term will be more useful to mere politicians than to those concerned for the real welfare of the country.

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THE RECENT PSEUDO-MONROEISM.

THE first of the preceding articles has clearly demonstrated what the Monroe Doctrine was, as understood by those who originated it. It was a protest against intervention, by a league of *jure divino* European monarchies, in the internal affairs of the Spanish-American states, for the purpose of re-imposing upon those states the restored *jure divino* monarchy of Spain; and the menace to the peace and safety of the United States involved in such an intervention arose out of the three facts: that one of the Spanish-American states, Mexico, was our immediate neighbor; that the system of the *jure divino* monarchy was inimical to the republican constitutional system of the United States; and that the principle of this intervention would justify the reimposition of the sovereignty of Great Britain upon the United States themselves by the power of a European alliance.

The second of these articles has as clearly shown that, in the only instance in our history in which the United States were actually called upon to deal with something like the intervention against which President Monroe protested, those who then conducted our diplomacy made no mention of the Monroe Doctrine, as the ground upon which the United States stood in the position which their government assumed. There were reasons for this. The chief reason has been stated in the previous paper, and I will not repeat it. But there was another reason, one well understood by those of us who lived during the fifties and sixties and had any consciousness of the feelings of the party and the administration which put an end to the slave power. It was, that the Monroe Doctrine was in deep disrepute on account of the interpretation put upon it by the slaveholders; or more correctly, on account of the fact that another doctrine had been substituted by them for the original, with the purpose of arousing a jingoism throughout the country,

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that should effect the extension of slave territory toward the southwest. They had taken out of Mr. Monroe's famous message the paragraph which declares that "the American continents, by the free and independent condition which they have assumed and maintained, are henceforth not to be considered as subjects for future colonization by any European powers," and had made a new Monroe Doctrine out of it. This later doctrine taught that the United States should seize parts of Mexico and Central America and even Cuba, in anticipation of their seizure by European powers, and encouraged the plan for making the Gulf the Mediterranean of a slave empire; and, strange as it may now appear, the ground for this policy was that the "free republic" could not permit the despotisms of Europe to have foothold on American soil.

This was the slaveholders' Monroe Doctrine. It was what was called the Monroe Doctrine in the fifties. It was a stench in the nostrils of the opponents of slavery extension; and when they came into possession of the government, they naturally made no use of it in their diplomacy. Mr. Seward founded his case against France, as the foregoing article demonstrates, entirely upon the old, sound, universally recognized principle, that every state has the right to resist acts of another state toward a third party, which are a serious menace to its own safety, peace and welfare.

It now remains for me, in the third number of this series, to examine the new doctrine put forward by Mr. Olney and President Cleveland, and called the Monroe Doctrine. Prefatory to its analysis, I feel myself fully warranted in affirming that it is not the real Monroe Doctrine, as advanced and understood by Mr. Monroe himself, — simply because it cannot be. The Holy Alliance has been dead for fifty years, and there is nothing in European politics which bears the faintest resemblance to it. There is not a *jure divino* monarchy in Europe this side of Russia, and there is more liberty, better government and a more perfect reign of peace in any European state this side of Russia than in the best-ordered state in South America. Finally, the principle of non-intervention by one

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state in the internal affairs of another is now, and has been for nearly fifty years, a universally recognized rule in the diplomacy of Christian governments, and there is not a state in Europe which manifests the slightest intention of imposing a *jure divino* monarchy, or any other system of government, upon any South American state.

With the political and governmental conditions of Europe so radically different from those that prevailed in the third decade of this century, there can be no such thing as the original Monroe Doctrine in the practical politics of America to-day. There can only be some other doctrine, bearing perhaps some resemblance to the slaveholders' Monroe Doctrine, to which shrewd politicians have given the time-hallowed name.

If there is anything which distinguishes a people ripe for self-government and republican institutions from those peoples who are not, it is the ability and the determination to look into the substance of things and to remain unimpressed by names, catchwords and phrases. The elevation of any political idea or doctrine to the position of a fetich, at the mention of whose name eyes are closed, ears are stopped and tongues rattle with excited gibberish, is the surest evidence of unfitness for such government and for such institutions. The existence of any such doctrines in the political science of a people is a great source of danger. They should always be scrutinized with suspicion and skepticism, and the psychological tendency to create them should be detected and eradicated. Above all, a republican people should consign to the realm of silence, if not of infamy, political leaders who, by a clever jugglery with words and phrases, undertake to excite sentiment instead of reflection, and to enthrone passion where reason and conscience should sit in the serenity of insight and the calm courage of righteousness.

But let us see if we may, perchance, find out what this doctrine is which Mr. Olney and Mr. Cleveland call the "Monroe Doctrine," and at the enunciation of which the clear sky of American politics suddenly became electric with storm and covered with darkness, producing loss and confusion in busi-

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ness, decline of confidence in the public finances, action without discussion on the part of Congress, and a general outburst of violent anger against a friendly power.

Mr. Tilden once said, I believe, that he thought the Monroe Doctrine might be a good thing if one could only find out what it was. Were he alive to-day, he would be more likely to think it a bad thing if one could only find out what it is. I doubt very much, however, if he could find out what it is from the recent pronunciamentos of Mr. Olney and Mr. Cleveland. I have studied these documents now for a month, and I am not at all sure that I have found out what their authors conceive it to be. More correctly, I feel forced to say that I have found several Monroe Doctrines in them, neither of which is Mr. Monroe's Monroe Doctrine.

In the first place, Mr. Olney in his note represents Mr. Monroe's Monroe Doctrine as consisting of two parts, *viz.*, the declaration that the United States will resist the extension of the system of the allied powers to any portion of either (American) continent, and the assertion that the Americas are no longer subject to future colonization. Now it has been shown in the first number of this series that this latter part was not originally regarded as included in the Monroe Doctrine, but that after twenty years had elapsed it was, by means of sophistical interpretation, fashioned into the slaveholders' Monroe Doctrine.

Mr. Olney says of this part:

> That America is in no part open to colonization, though the proposition was not universally admitted at the time of its first enunciation, has long been universally conceded. *We are now concerned, therefore, only with that other practical application of the Monroe Doctrine*, the disregard of which by a European power is to be deemed an act of unfriendliness toward the United States. The precise scope and limitations of this rule cannot be too clearly apprehended. It does not establish any general protectorate by the United States over other American states. It does not relieve any American state from its obligations as fixed by international law, nor prevent any European power directly interested from enforcing such obligations, or from inflicting merited punishment for the breach of them. It

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does not contemplate any interference in the internal affairs of any American state or in the relations between it and other American states. It does not justify any attempt on our part to change the established form of government of any American state or to prevent the people of such state from altering that form according to their own will and pleasure. *The rule in question has but a single purpose and object. It is that no European power or combination of European powers shall forcibly deprive an American state of the right and power of self-government and of shaping for itself its own political fortunes and destinies.*[1]

It will be observed that in this statement of the doctrine Mr. Olney has taken some liberties with Mr. Monroe's language. While Mr. Monroe's declaration was against the then allied powers, and against the extension of their then existing system to any portion of either American continent, Mr. Olney turns it against any European power and any European political system, and, in the case in hand, against the very European power which never belonged to the Holy Alliance, which denounced and repudiated its principles, both in internal government and international relations, and which joined hands with the United States in resisting the extension of these principles to the Americas. But I do not wish to make any point of this.

When, now, Mr. Olney comes to apply the doctrine as thus stated by himself to the case of the Venezuelan boundary, he evidently finds himself in the face of some difficulties. He finds an old European colony situated on both banks of the Essequibo, having therefore good claim in international law to the watershed at least of this river, enjoying prosperity in peace and liberty under stable liberal government. He finds a comparatively new Spanish-American state, born in rebellion, baptized in secession, and consecrated in revolutions too numerous to mention. He finds this new-born state, in all the vigor of youthful self-assertion, laying claim to the territory south-eastward from its quaky capital, across the mountain range just behind it, down into the valley of the Orinoco, over the big river, across its unsettled eastern valley, up to the

[1] These lines are italicized by the author of this article.

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watershed, then over that and down into the valley of the Essequibo to the west bank of this stream, and exhibiting in support of this claim a list of documents as long as the name of a Spanish grandee, beginning with Pope Alexander's famous bull and ending with the last Venezuelan constitution. And he finds "merry Old England" smiling serenely at the plucky impudence of the upstart, — for she rather likes pluck even though spiced with impudence, — advising, however, moderation, and offering this line and then that, all within the natural physical boundary of her colony, but when each of these is indignantly refused, at last, with patience a little worn, declaring that she will hear no more of Venezuelan lines which include her actual settlements, but will arbitrate what lies between them and the watershed line, which international law would give her in the absence of positive agreements or permanent occupation to the contrary.

It was rather difficult for Mr. Olney to find in any or all of these facts any attempt on the part of "a European power or combination of European powers" forcibly to "deprive an American state of the right and power of self-government," or "of shaping for itself its own political fortunes and destinies." In fact, he does not undertake so hopeless a task. But, in order to bring this boundary dispute within the rule of the "doctrine," he first presumes that there *is* a legal boundary somewhere to the east of Great Britain's irreducible line, although he says he does not, and then he declares that, if Great Britain "*is appropriating Venezuelan territory, it is not material that she does so by advancing the frontier of an old colony instead of by planting a new colony.*"[1]

Mr. Olney thus, in order to bring the case in hand within the rule, slides back to the slaveholders' Monroe Doctrine, a doctrine with which he himself declares a few paragraphs back we have no further concern, and which he there discards from the question as having no further import in the Monroe Doctrine of to-day.

Here then we have one Monroe Doctrine in the rule and

[1] Italicized by the author of this article.

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another one in the application of the rule to the case. Before proceeding in our search for other Monroe Doctrines in this remarkable note of the Honorable Secretary of State, let us analyze a little more closely this one, which he at first discards and then applies to the case in hand.

He says that if "Great Britain is appropriating Venezuelan territory, it is not material that she does so by advancing the frontier of an old colony instead of by planting a new colony." That is, the right of the United States to object to Great Britain's appropriating Venezuelan territory by advancing the frontier of Guiana, is derived from the doctrine that no *new* colony may be planted by a European power in the Americas; and the logical connection between the two propositions is the declaration that there is no material difference in the two procedures from the point of view of the result attained.

Now it seems to me that this declaration is a pure assumption and is clearly erroneous. It must be remembered that we are considering these two methods of acquisition from the point of view of a right of the United States to intervene, and not from that of Venezuela's territorial area. From the only point of view which we are authorized to take, the two methods differ most widely in every respect.

In the first place, even if, in the settlement of the boundary between this old British colony and Venezuela, Great Britain should get a few thousand square miles more of the wild region in dispute than Venezuela thinks or the United States think she ought to have, the result would be altogether trifling in comparison with the establishment of a new colonial center in or near disputed territory, with new lines of indefinite radiation. Mr. Olney is a good lawyer. He had the reputation once of being a good publicist. He is undoubtedly acquainted with the maxim "*de minimis non curat lex*," a principle contained in every system of enlightened jurisprudence in the world. If the law which regulates the relation between individuals cannot concern itself with petty things, surely diplomacy, which must always deal far more with the large and the indefinite, cannot.

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In the second place, the planting of a new colonial center by any European power in or near disputed territory would be *prima facie* evidence of an intention on the part of that power to increase its colonial possessions, while no such intention can be presumed from boundary claims and disputes between an old colony and its neighbors. The argument of Mr. Olney on this point, if accepted as the rule of conduct in the diplomacy of the United States, would introduce into that diplomacy a spirit of indiscriminate suspicion and a practice of trifling pettifoggery, which would destroy its efficiency and keep the country in constant turmoil. No surer way could be devised to bring wars upon ourselves, and all the ills of military government.

The right of the United States to interfere in boundary disputes between an American state and an American colony of a European power cannot be derived from a right to object to the establishment of new colonial centers in the Americas by European powers. Interference must be based on a much wider principle. It must be based either on the principle of a general protectorate of the United States over the boundaries of the American states as against the American colonies of European powers; or on the sovereignty of the United States over the Americas; or on the fact that the peace, safety or cardinal interests of the United States are directly and seriously menaced.

Have the United States, then, a general protectorate over American states? If they have, the fact certainly finds no expression in Mr. Monroe's Monroe Doctrine. It must rest upon a brand new doctrine, which should be compelled to justify itself under the burden of a new name, as an innovation, and should not be allowed to steal the prestige of an old and revered title. As a matter of fact, we know of course that no such protectorate does exist. The question before us is: Shall we assume it? I do not propose to argue this question in this paper. But I may mention some things which are certainly incumbent upon the United States should they determine to play this rôle, and some other things which ordinary prudence would dictate to be necessary preliminaries to entering upon it.

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In the first place the United States should give fair notice to the world of such an intention. It would be an act very seriously affecting international relations, and all the members of the international sisterhood are entitled to be fully apprised of any such innovation. In the second place, all pending issues should be excepted from the operation of the new principle, on the well known and universally accepted maxim of both public and private jurisprudence, that retroactive measures are generally unjust and not permissible. In the third place, the United States should be prepared to accept the responsibilities as well as the rights of such a protectorate, — that is, the United States must be prepared to enter upon a course of political entanglements with European powers in regard to their colonial possessions in America, and to answer to those powers for the unlawful acts of the American states in the intercourse of nations.

In order now to enjoy these rights and discharge these responsibilities, prudence would certainly dictate preparations which should bear some reasonable relation to the work to be accomplished. In the first place, the United States should put their five thousand miles of seacoast in a state of proper defense. Ten years of labor and the expenditure of a few thousand millions would do that. In the second place, a navy of at least five hundred war vessels must be created. It could be done at the same time that the work on the defenses would be in progress, and at a cost of about a thousand millions. In the third place, a standing army of at least five hundred thousand men must be raised, organized, equipped and supported. This could be done in less time than that required to complete the coast defenses and build the navy, and at the cost of about a thousand millions per annum. Grand prospect! Plenty of offices, plenty of government contracts, large profits, abundance of work, high prices, and endless sensations! But it must all be paid for in the end in mountains of treasure certainly, and in rivers of blood and centuries of misery probably. The military system, which we have been taught to believe is the sum of villainies and misfortunes, would be our perma-

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nent form. We may well stop and consider long and earnestly whether the game is worth the candle.

Mr. Olney, however, as we have seen, in one paragraph renounces the protectorate as his "Monroe Doctrine," or rather as one of his "Monroe Doctrines," though his propositions involve it as their supporting principle. But in a subsequent paragraph he expressly advances a doctrine which goes far beyond the protectorate — a doctrine upon which the United States may base the exercise of any power whatsoever over the rest of the American states, and, so far as I can see, over the American colonies of European powers. His words are: "To-day the United States is practically *sovereign* on this continent, and its fiat is law upon the subjects to which it confines its interposition." Leading up to this imperial utterance, he had said a few sentences back: "That distance and three thousand miles of intervening ocean make any permanent political union between a European and an American state unnatural and inexpedient, will hardly be denied."

Now here is a doctrine far in advance of anything ever before proposed. It certainly is not Mr. Monroe's "Monroe Doctrine." Mr. Monroe expressly disclaims it in his noted message. I hardly know if Mr. Olney himself calls it *the* "Monroe Doctrine," or a "Monroe Doctrine," or even one of his "Monroe Doctrines." It is surely Mr. Olney's own child, and I think it will have to bear his own name. It would be an unendurable libel to charge its paternity to Monroe.

But let us examine this new doctrine in both its parts.

Is it, in the first place, a notice to the European powers which have American colonies to prepare to get out, to make way for the complete realization of that sovereignty of the United States over the Americas which is already, according to Mr. Olney, practically established? Or is it only the expression of Mr. Olney's idea of the part which physical geography plays in the permanent political organization of states? If it is only the latter, we shall be rather inclined to agree with him, but at the same time we are bound to criticise Mr. Olney's judgment in inserting it in a diplomatic note to be transmitted

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to the government of a European power having American colonies. Any tyro in diplomacy might anticipate that such a power would be very likely to take the expression in the former sense, and would consider it an interference with its relations to its own colonies. It is quite evident from the tone of Lord Salisbury's reply that he felt this proposition in Mr. Olney's communication to be highly impertinent. The country cannot be called upon to follow a diplomatist who manifests so little ability to measure the probable effect of the language he employs.

If, on the other hand, Mr. Olney really intended his words in this connection as a notice to Great Britain that the government of the United States is contemplating and expecting her withdrawal from the Americas, in order to make way for the assumption of the sovereignty of the United States over them, then it cannot be claimed that Mr. Olney has made a *faux pas* in his language, but he has certainly proposed for his country a gigantic enterprise. As I have said, it is certainly no part of Mr. Monroe's Monroe Doctrine, and we must insist that it shall not cloak its real aspects under that name. We must insist that it shall accept the disadvantages of being a new doctrine, an innovation, and carry the burden of proof for its justification.

I do not propose in this paper to argue the question as to whether we should undertake this vast enterprise or not, at any more length than I did the question as to whether we should assume the protectorate over the American States not colonies of European powers. All that was said on the latter subject as to giving the world a proper notice of our intentions, and placing ourselves in a proper condition of offensive and defensive strength to execute those intentions, applies with equal if not greater force to this more radical program. But there is one thing more which we certainly ought to do as preliminary to entering upon this course of conquest, and that is, *find the principle of ethics for its justification;* for we could no longer rest upon the right of self-defense, or plead the spirit of chivalry, as our moral warrant for such a policy.

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There is undoubtedly a duty resting upon civilized states to carry civilization into the abodes of barbarism, and this duty gives a right. The right, however, must be limited by the purpose; and must not be made a means for any other end than the spread of civilization. It cannot justify the imposition of the foreign power upon a population which, though far behind and making slow progress, shows a fair capacity to work out its own civilization. It cannot justify the expulsion of one civilized power by another from a field properly occupied and fairly well worked. And it cannot justify a civilized power, which itself does nothing for the civilization of a barbaric region, in attempting to hold that region indefinitely against the entrance of other civilized powers. These are the ethical lines within which the United States must move in entering upon the policy of extending their sovereignty over the Americas. In the present condition of civilization upon these continents, it would seem that these moral defenses would prohibit the United States as well as the European states from making any part of the Americas objects for colonization. Lord Salisbury himself recognizes this fact so far as Europe is concerned. He says, in his answer to Mr. Olney's note, that the British government accepts the view or doctrine that any disturbance of the existing territorial distribution in the Americas by any fresh acquisitions on the part of any European state would be a highly inexpedient change. I do not understand why this sentence in Lord Salisbury's communication has not received more attention in the discussion of this correspondence. It is certainly a most sincere assurance of his good faith in dealing with the question of the boundary between Guiana and Venezuela. I do understand, on the contrary, how a European motherland would be of vast advantage to an American colony in case the United States should determine to enter upon a course of colonization in the Americas. It would protect the colony against a power whose sovereignty over it, once established, would be, according to Mr. Olney's idea, a far more natural, and therefore a far more permanent, condition than the sovereignty of a European motherland. The permanent

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future independence of the American states and colonies is probably in greater danger from the United States than from any European power or any combination of European powers. This is most certainly true, if the United States are already entertaining any plans for the realization of a practical sovereignty, as Mr. Olney names it, over the American continents.

Now I do not think that Mr. Olney meant just this by his clumsy phrases. His offense is rather the loose use of misleading language in the official discussion of a delicate phase of a serious question. But I do know that there are men in these United States who are contemplating this gigantic enterprise, who are anxious to hasten the course of what they consider the manifest destiny of the United States in this respect, and who have been greatly encouraged by Mr. Olney's utterances. In view of the existence of such a spirit it may be prudent for the Central and South American states not to throw themselves too unreservedly into the arms of the United States.

Unless there should be a distinct decline in the civilization of the Latin-American states, I myself should be at a loss to find the ethical ground for the forcible extension of the sovereignty of the United States over them, or any part of them. I must leave that task to those who approve such an enterprise. All I mean to say is, that an ethical ground must be found and must be demonstrated to the reason of the people of the United States, but must not be assumed, even though the dictum of Mr. Olney may be so tortured as to warrant that assumption.

If we go back with Mr. Olney to the parent principle from which he professes to derive these different Monroe Doctrines, we shall certainly find something upon which we can all stand. It reads as follows in his own language :

> That there are circumstances under which a nation may justly interpose in a controversy to which two or more other nations are the direct and immediate parties, is an admitted canon of international law. The doctrine is ordinarily expressed in terms of the

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most general character, and is perhaps incapable of more specific statement. It is declared in substance that a nation may avail itself of this right whenever what is done or proposed by any of the parties primarily concerned is a serious and direct menace to its own integrity, tranquillity or welfare.

We all agree with Mr. Olney in this enunciation of the principle. He says, "*perhaps* it is incapable of more specific statement." We go further, and say that it is exceedingly difficult, if not impossible, to give it a more specific statement, without robbing it of its character as a recognized principle of international law, and changing it into a mere *ex parte* dictum. Certainly there is nothing in the mere name of a continent, or in the distinctions between longitude and latitude, to render practicable a more specific statement of the principle. Upon this principle, the United States have the right to interfere in the political controversies of Europe, of Asia and of Africa when the integrity, tranquillity or welfare of this nation is directly menaced; and they have no better right nor greater right to interfere in the controversies of American states to which they are not an immediate party, except upon the ground that their integrity, tranquillity or welfare is more seriously menaced in the latter case than in the former. In both cases, and in all cases, that menace must be clearly and distinctly proven to the reason and the judgment of the people, and not hastily formulated out of some loose and hazy sentiment drawn from the stock-in-trade of practical politics, or even from the inflated articles of a popular creed.

My chief criticism of Mr. Olney is, that he did not stick to his own statement and make out his case of a direct and serious menace to the integrity, tranquillity or welfare of this country involved in the boundary dispute between Great Britain and Venezuela, but, on the contrary, attempted to do what he himself concedes to be perhaps impossible, *viz.*, to give the statement of our right to interfere a more specific form, and then presented it under a title calculated to becloud the reason and rouse the fanaticism of our people. He might have learned a salutary lesson from that predecessor in his office who stands,

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as a diplomatist, head and shoulders above any other who has ever occupied it, and who, in dealing with the only issue in our diplomacy which ever called for the application of the real Monroe Doctrine, did not, as we have seen, use that title at all, but rested upon the general principle, which is an accepted maxim of international law.

Mr. Olney may have some way satisfactory to himself of excusing his inconsistency; but the people of a republic worthy of its name and capable of self-government, dare not allow him to dragoon them into a course of hostility to a friendly power, — a power whose friendship is of more value to them than that of all the other powers of the earth put together, — until he shall have clearly demonstrated that the interests menaced are really, directly and seriously menaced, and are greater than the interests to be sacrificed in repelling the menace. All of the cheap bombast about defending principles and honor will not make good the failure to prove the menace — its directnesss, its seriousness and its extent — to the interests of the country. This is not the age of crusades. If there is any fundamental distinction between the spirit of mediævalism and that of modern civilization, it is that in the modern era men and nations do not appeal to force, but to reason, in settling questions of mere principle. And if such questions cannot be settled at a given moment to the satisfaction of both parties, reason commands delay, fuller information and further deliberation.

As to the cry of honor infringed, I have known this claim so frequently and so basely abused, that I must insist upon the minutest demonstration of its truthfulness, before I can agree that any rational man is morally obligated to pay the slightest attention to it. In the very matter before us, how can any man in possession of common sense make out a case of affront by Great Britain to the honor of the United States? If I understand the propositions of Mr. Olney and Mr. Cleveland, to state them in the coarse language of the camp, they are that these gentlemen suspect Great Britain of being a land robber, that they believe her assurances to the contrary to be

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false, that they are going to find out about it for themselves, and that if from their investigations it turns out that their suspicions are confirmed by their opinions, they are going to uphold these opinions by all the force at their command. After the assumption of such an attitude, I can hardly see how they can make the plea of affronted honor work on their side. It seems to me that they have driven Great Britain to the wall, and that unless they give way in some degree, Great Britain will find it very difficult to maintain peace without humiliation.[1] They have been able to assume an appearance of superior justice by representing that all they have asked for is an impartial arbitration between Great Britain and Venezuela, and by claiming that, because Great Britain has declined it in regard to a part of the territory to which Venezuela lays claim, she has virtually declined it altogether, and has thus manifested a lack of confidence in her own case. This statement of their position has perhaps exerted more influence in their favor over the minds of the people than anything else. But the people are bound to reflect upon the distinction between *asking* two friendly powers to arbitrate differences between themselves and *threatening one of them with war if it declines*. They are bound to remember that the United States government has freely declined proposals for arbitration. And they are also bound to remember that in putting some limitations upon the extent of the claim to be arbitrated, Great Britain has the authority of the United States themselves, whose commissioners, in the year 1871, refused the proposal of the British commissioners to arbitrate the whole northwest water boundary question, and limited the arbitration to the question of the Haro or Rosario channels.

I have spent many years in the study of diplomatic correspondence, and I am utterly unable to find any affront to the honor of the United States in the reply of Lord Salisbury to

[1] It is to be hoped that the British government will regard the wise and diplomatic note of Justice Brewer, president of the commission, in reference to the evidence on the boundary question, as a friendly advance on the part of our administration.

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Mr. Olney's note, except perhaps upon the principle that we consider ourselves insulted if other people decline to take our advice *in toto;* while over against Mr. Cleveland's swelling indignation at the wrong which he fancies we may suffer, I would place the great principle of Christian ethics that it is far more culpable to do wrong than to suffer it.

But let us return to our demand upon Mr. Olney, that he should have proven to the common reason the menace to the integrity, tranquillity or welfare of the United States involved in the refusal of Great Britain to submit the entire claim of Venezuela upon her to arbitration, before moving his chief to sound the note of war or even of alarm. Such menace he has not proven. He has assumed it as if there were no question in regard to it — as if it were self-evident. In this we cannot follow him. To say the least, it is certainly questionable whether the integrity, tranquillity or welfare of the United States would be in the slightest degree menaced, if the whole of South America were under the colonial system of the British Empire. It is even a question for discussion by a rational people whether, in such case, that integrity, tranquillity and welfare would not be enhanced above present conditions. Great Britain is far more really and soundly democratic in her institutions to-day than any South American state. It is not improbable that, as colonies of Great Britain, South American countries would enjoy far more peace and liberty than as Spanish-Indian states; and it was the reign of peace and liberty in the Americas which Monroe declared to be the ultimate object of his "Doctrine," and it was from that point of view that Jefferson approved it. Certainly there is more real liberty in Canada and in Guiana than in any of the South American states; and the countries in the Americas in which peace has reigned most undisturbed are British colonies. It is not at all improbable that, if the whole of South America were under the colonial system of Great Britain, real English colonies would be planted there, destined to ripen into real English-American states, which would establish peace with real liberty and stable government, and, in place of retarding the progress and consuming the

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substance of these lands in endless revolutions, would develop their resources and make them contributory to the commerce and welfare of the United States and of the whole world. Now I do not assume that this would be the result. It is a speculation. But it contains sufficient probability to merit discussion from a rational people, and to prevent a contrary assumption without discussion.

As a matter of present fact, however, the general extension of the British colonial system over South America does not confront us as either probable or possible. The question before us is simply whether the United States will be menaced in their integrity, tranquillity or welfare by allowing Great Britain and Venezuela to settle, without their interference, an old dispute about a boundary line, the nearest point of which is nearly as distant from any part of the territory of the United States as Newfoundland is from Ireland, and is less accessible from us than Boston is from Queenstown. Not even Mr. Olney claims that there is any *direct* menace involved; and it must be remembered that only a *direct* menace warrants the interference of the menaced third party in the controversies between the two parties directly concerned. He argues that if Great Britain can take a little more in this manner than Venezuela thinks she is entitled to, or than the United States think she is entitled to, then she can take more and more and more until — she gets a great deal. He does not even consider that, when the line is once fixed between Guiana and Venezuela, even though it should give Guiana more than he thinks Guiana entitled to have, an attempt on the part of Great Britain to take more would present an altogether different question, *viz.*, that of a conquest of territory pure and simple. If that should ever happen, then will be the time to deal with it. But to deal with it now, upon the basis of a suspicion, cannot be justified by any international or ethical principle with which I am acquainted, and I certainly think it would be a crazy internal policy that should advise such action. And what are the interests which Mr. Olney proposes to jeopardize in repelling a menace which, if it exists at all, — and I cannot by any

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stretch of the imagination conceive this to be the case, — is exeedingly petty and remote? They are the peace of the United States with the greatest power on earth, with the power more nearly akin to the United States in blood, language, history, literature, customs, laws and institutions than any other power on earth, — with their own motherland; the commerce of the United States with that power, amounting to as much as their commerce with all the other powers of the world put together; the security of the United States against invasion by that mighty power; the wealth of the United States to be exhausted in such a terrible struggle; the blood of the citizens of the United States to be poured out in an almost fratricidal war; and the liberties of the United States to be sacrificed under the necessities of a military régime. These are not all, from the point of view of the United States alone; and to these must be added all those interests which are of more universal concern, and which would be sacrificed by the example of the two most civilized powers on earth reintroducing the barbarism of war for the determination of their own disputes. This is monstrous folly as a mere proposition. In realization, it would be a crime against the country, against morality, religion, civilization and common sense.

I hope that I am not dealing unfairly either with Mr. Olney or with Mr. Cleveland in attributing to the former the invention of the idea of the new doctrine, and to the latter only the attachment of the forms of power to it. It seems very probable, at least, that such is the proper assignment of responsibility, and that whatever personal or political advantage or disadvantage may accrue from the promulgation of the doctrine should belong in higher degree to Mr. Olney than to Mr. Cleveland. Nor can he be deprived of the credit nor relieved from the odium, whichever it may turn out to be in the long run, by any frantic attempts of the Congress to outdo him. The people of the country have been too long in politics to be deceived, however much they may be amused, by such antics.

Down to this point I have treated of the doctrines, called Monroe Doctrines, advanced by the administration. I must

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now consider a doctrine, or rather a spirit, which is widespread throughout the country and has a grasp upon the people, and which is extremely menacing to the true interests of the nation. It is the hatred of Great Britain. I recently heard a great international lawyer, who has held high official position in the diplomatic service of the government, say that there has hardly been a period in our history when a President of the United States could not excite the people of the United States to assume a belligerent attitude toward Great Britain. The existence of such a spirit among the people against any power is a constant menace to our own peace and welfare; and it should not only be held in check by the government, but the causes of it should be carefully examined, and if it is seen to be not founded in right reason, it should be eradicated from the popular mind.

There is no question that the usual way of interpreting the history of the Revolution in our common schools, if not in our higher institutions of learning, is one of the prime causes of the existence of this spirit. Our children are not taught that our motherland, having been at very great expense in protecting us against the attempts of the French to seize the whole east valley of the Mississippi to the head waters of the Ohio, thought naturally that the colonies thus protected should bear a part of the burden; that she undertook to impose it at first as an internal excise, and then withdrew it in the face of protests, which acknowledged to her the right of levying customs on imports; that when she undertook to exercise this acknowledged right, her American colonists again resisted, and that she again receded before their protests, until at last but a single article was made subject to duty; that although the revolt was apparently provoked by her insistence upon this right, yet the real issue was the independence of an adult nation, now able to manage its own affairs, against the supervision of a country removed from it by three thousand miles of water; that no matter whether the colonial policy of that country had been mild or severe, the consciousness of having arrived at adult powers, once attained, would have

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caused the invention of an issue, if none were at hand, for throwing off that supervision; that in the modification of colonial governments, the motherland was probably within her rights legally, although the policy of it might have been bad; and that it was natural for a motherland to regard armed resistance to her laws as rebellion, and endeavor to suppress it by military force. On the other hand, our children have been taught, and are taught, that the motherland did nothing for our protection, cared nothing for our interests, undertook to rob us by taxation, deprive us of our personal liberty by deportation, violate our charters of government without warrant of law or justice, treat us as slaves, and then do us to death for daring to resist.

Likewise the history of the war of 1812–1815, as taught in our schools, dwells only upon the impressment of American seamen for the British navy, and the depredations upon the commerce of the United States; but has little to say concerning our partiality for the French in the struggle to place a Napoleonic despotism over all continental Europe, which Great Britain was using all of her power to prevent; little to say about the rampant jingoism of the new West under the lead of that young, fiery and fanatical pair, Clay and Grundy, dazzling the people with their plan for the conquest of Canada; and almost nothing to say about the facts that in many cases British seamen were harbored on American vessels, and that in taking enemy's goods out of neutral bottoms and in proclaiming blockades, Great Britain was, though following an illiberal policy, not then violating any principle of international law.

It is little wonder that with such interpretations of early American history, our youth have grown up with bitter prejudices against the "Old England," which are cherished and directed in their manhood against the England of to-day. It is high time that a less *ex parte* view of American history should be taught in our common schools; it is an educational scandal that it is not.

There is, in the second place, no question that the attitude

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of Great Britain during our Civil War caused, whether justly or not, great bitterness of feeling against her, both at the North and at the South. The people of the North felt, and were taught by their leaders to think, that in recognizing the belligerency of the Southern Confederacy, and in not preventing her subjects from furnishing war material to the Southern Confederacy, Great Britain manifested a sympathy for the giant rebellion againt a government friendly to her. And on the other hand, the people in the South felt, and were taught by their leaders to think, that in refusing to recognize the independence of the Southern Confederacy, and in observing the blockade of the ports of the Southern Confederacy by the United States navy, Great Britain manifested undue sympathy for the North in the settlement of a question internal to this country, in which she should have been entirely impartial and neutral. But nobody seems to feel, or to think, or to remember, that in the arbitration of the differences between the United States and Great Britain growing out of the attitude of the British government and the acts of British subjects during that war, Great Britain generously allowed the application of principles, in the determination of her responsibilities to the United States, which had not to that time been clearly established as principles of international law. The interpretation of recent American history certainly stands in need of some emendation upon these points.

There is, in the third place, no shadow of a doubt that the competition of the two great political parties in the United States for the Irish-American vote, and their consequent efforts to outdo each other in embracing the cause of "Irish Home Rule" against Great Britain, have led to an almost complete ignoring of the British side of this question, and to an almost universal belief that Great Britain, in striving to preserve the union of the realm, is an unmitigated tyrant in Ireland.

And, lastly, the methods employed by the British people and government in the extension of the British Empire have been so represented and epitheted as to produce another cur-

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rent of dislike against Great Britain among a people who regard all men as having been created equal. It is taught by most of those who form the public opinion of the United States that the British Empire is a gigantic system of land robbery, and that it prospers by stealing the country and the wealth of other peoples and reducing them to a servitude little better than serfdom. It is rarely mentioned that, in some cases, the lands taken were wildernesses, the peoples made subject to British rule were barbarians, and the wealth acquired was created by British enterprise and capital employing and paying for labor which before had lain dormant; or that, in other cases, British rule has been invited by anarchy and political decay among peoples who could have no longer preserved themselves against a return to barbarism but for the aid of the great empire. And it does not seem to be remembered that the United States owe their own existence to the same kind of land-grabbing, in the beginning, which they now condemn, and their own extension to the commission of something like the same awful robberies themselves. The British Empire is indeed a great and successful organization, and it has excited the jealousies of the world; but as rational men we dare not represent the mighty work for civilization which it has done as a robbery of rights and of property.

These are some of the streams that combine to form the current of dislike which runs through our history against Great Britain, and which at times sets so strongly against her as to become an active and dangerous hatred. It is with such a popular spirit that the government of the United States must always reckon in its diplomacy with Great Britain. Any claims, however exaggerated, which that government may put forth against Great Britain will be almost certain to be sustained and applauded. In fact when this spirit is once excited, it is very difficult for the government to hold its own footing at all against it. It is the most dangerous weapon in all our arsenal of popular prejudices. It is a spirit which no rational people should allow to dominate them for one moment — a spirit which marks any people who do allow its domination

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over them as irrational. But culpable as it is, it is here, and the government of this country assumes a fearful responsibility by tampering with it in the slightest degree.

It is to be fervently hoped that the administration will keep this constantly in mind, that the commission which has been appointed will not forget it, and that the Congress, upon whom may rest, in last resort, the responsibility for peace or war, will clearly understand that if they allow this popular prejudice, this passion of hate, to influence them in the slightest degree in the determination of a question of international justice, they will, each man of them, have made themselves guilty of the greatest crime which mortal man can commit — the sevenfold crime against life, liberty, property, peace, justice, good-will between nations, and civilization itself.

JOHN W. BURGESS.

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WHAT IS A PARTY?

FROM the beginning political development has depended on party. "The castes of the ancient world are the fossilized remains" of parties once active in a world still more ancient. The political interest of early Hebrew history centers in the struggle of an intensely national party, which sought to exclude foreign influences altogether, with a party which looked to Egypt and to the more civilized states of western Asia for ideas and support. And so it is always and everywhere; party is the manifestation of political life, and the indispensable means of its growth. In recent times, moreover, every advanced people has come to look to party — to an extent already great, and everywhere increasing — for government. But in order that political development may be sufficiently rapid and at the same time rightly proportioned and healthful, and that party government may be good government, it is necessary that the people, as well as the philosopher and the student, should have just ideas concerning this agent whose conduct so profoundly influences their welfare.

Without attempting to include every point that may properly enter into a complete definition, I offer, in reply to the question, What is a party? the following as a summary of its most important characteristics: A party is a durable organization which, in its simplest form, consists of a single group of citizens united by common principles, but, in its more complex forms, of two or more such groups held together by the weaker bond of a common policy; and which, contrary to the view usually held, has for its immediate end the advancement of the interests and the realization of the ideals, not of the people as a whole, but of the particular group or groups which it represents.

The definition rests upon, and in part gives expression to, a theory of party which deviates widely from those now current. Let us examine each of its propositions.

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I. *Organization.*

Organization is the process which, for the purpose of effective work, converts many into one. In the case of party it is the birth-process; for, however large the number of those who think and feel alike may be, they cannot, until organized, do anything noteworthy in support of their common interests. There is, however, no particular form nor any definable amount of organization which is always requisite to the formation of a party. The form varies as greatly as does that of government; and the amount which will suffice under one set of conditions may prove quite inadequate under another. At times a loosely associated crowd, acting in the main from fitful impulse, has performed the functions, and therefore has deserved the name, of party; but in the more advanced states of the modern world this is no longer possible. Without a high degree of organization the largest body of citizens cannot at the present day do the proper work of party. The change which has taken place within a century seems almost startling. In respect to organization there is as little resemblance between the parties of the Federalist period and their compact, highly disciplined successors of to-day, as between the feudal levies of the crusading period and the armies which established the unity of the German empire. To go further back, the parties of classic antiquity impress the reader of history, and still more the modern party manager, as unwieldy and undependable in the extreme. This is true particularly of the ancient democratic parties. The followers — it would hardly do to call them the supporters — of the Gracchi seem more like mobs than parties; and though Cæsar conquered in the name of democracy, he did so by means of the army which he was able to organize, rather than by the aid of a party, — a fact which goes far to explain and to justify his subsequent course.

Without doubt the increasing susceptibility to the influences that organize is a general characteristic of modern times; for we see it in all departments of human activity — social, ecclesiastical and industrial, as well as political. The stimulus to production

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through the higher forms and greater completeness of organization that has been made possible by this increasing susceptibility, has done more than any other one thing to bring about the recent immeasurable enlargement of the wealth of the world. But with the good evil is mingled; and nowhere is this more evident than in politics. The increasing readiness with which men submit themselves to organization accounts in large measure for the rapid growth of party despotism, and, to a greater extent than is commonly supposed, is the source of that deplorable change which is transferring the control of parties from leaders, who embody their ideas, to managers or "bosses," with whom rests, in an ever greater degree, the issue of their struggles.[1] Of the many problems associated with party few are so difficult to solve, and at the same time in such urgent need of solution, as this: How, in the face of the necessity for organization, and in view of the increasing readiness with which men make the sacrifices that organization involves, can the strongest and finest elements that belong to the character of the individual be maintained? Warfare upon "bosses," however useful this may be, cannot cure the evil. So long as the conditions that produce "bosses" remain unchanged, to remove one is simply to make room for another. The true remedy is a change in the attitude of the citizen towards party.

The tasks which parties undertake require for their accomplishment not only a high degree of organization but also an

[1] Of course the control of a party naturally gravitates into the hands of those who are best able to promote its real or apparent success. It is because organization has come to be so very important a factor in the attainment of what is accepted as success, that the man who can organize has risen to the high position in party management which he now holds. On the other hand, it is undeniable that a change for the worse has taken place in the national electorate of the United States. This change is due not only to the too rapid extension of the franchise, but also to a specific change in the character of citizenship. Individuality is decreasing; the average citizen of to-day relies less on his own judgment, and accepts in a more docile way the opinions of those with whom he is associated, than the average citizen of two generations, or even one generation ago. The extension of organization to different fields, and its rapid development in each of these, is, so to speak, making men more organizable — that is, less disposed to assert themselves as individuals, and more disposed to do as others do.

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extended period of time. To propagate party doctrines; to secure through elections, or by revolution, the requisite control of the public powers; to incorporate, after such control is secured, by acts of legislation and administrative measures, its own principles with those which underlie the general policy of the state; and lastly, to stand guard against all enemies until the utility of its work is fully proved, and the work itself is definitely accepted,—these are the difficult, laborious, and time-consuming tasks which every successful party must discharge. Hence, whenever a group of citizens has a genuine call to form a party, the members know that they must submit to a degree of organization not far inferior to that of an army, and that the partnership into which they enter is for life.[1]

II. *Principles and Policy.*

There are few terms applied to parties which are used so freely as these, and none concerning whose meaning there is such general disagreement. Quite often a measure of policy which a party has supported for a long time is mistaken for a principle. Even Webster speaks of protection and free trade as "party principles." But principles are always distinguishable from measures of policy; the latter may embody and reveal, but cannot themselves be principles.

In the study of parties the first step should be to ascertain their principles; for until this is done it is impossible to understand or rightly to judge their conduct. The principles of a party I venture to define as *the durable convictions held in common by its members as to what the state should be and do.* For, in the last analysis, it is its convictions in respect to the most desirable form, institutions, spirit and course of action of the state, that determine the natural attitude of a party towards every public question. If we attempt to go further back and

[1] The establishment of party government has done much to perfect both the science and the art of party organization; and it has done this by increasing the rewards, both moral and economic, of success. An admirable account of the organization of American parties is given by Mr. Bryce, American Commonwealth, chapter 59.

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inquire whence these convictions come, we enter a region of speculation which is indeed attractive, but where guesses and surmisings take the place of exact and verifiable conclusions. A man's convictions are themselves definite and tangible; but who can point out with certainty their deeply hidden and inextricably mingled sources? For among these are the countless incalculable factors that constitute heredity, the bewildering complex of subtle but always powerful influences that we call environment, and lastly those elements of personal character that we cannot trace to heredity or environment, but which sometimes have a greater part than all things else in shaping a man's convictions. What in this respect is true of one citizen, is quite as true of the entire group to which we give the name of party.

The policy of a party, on the other hand, comprehends all that the party does in order to establish its principles; it includes therefore the whole of the party's conduct. Principles are disclosed in the end which is sought; policy in the means employed for the attainment of this end. The failure to distinguish between principles and policy accounts for much of the misapprehension and injustice that parties suffer. Not infrequently they are accused of betraying principles when they have simply made a change in policy. This was the case with the Federalist Party. Its principles — that is, the convictions of its most influential members in regard to what the state should be and do — were aristocratic. To the minds of its supporters, at least of those who directed the course of the party, the ideal state was an *aristocratic* republic. To realize in the New World such a state, was, in so far as the Federalists acted from strictly party motives, the end for which they strove. Everything they did or tried to do which they thought conducive to this end, was, properly speaking, a measure of policy. Such were the establishment of the constitution and the inauguration of a stronger general government; for by these means they thought to check the democratization of politics and society. And the same may be truly said of nearly all the celebrated measures of the Federalists; the end they had in view was the creation here

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under republican forms of a social and political structure which should resemble as closely as possible that of England.[1] Hence it is not just to accuse the Federalists of treachery to principles because, after their defeat in 1800, many of them ceased to support, and some actually turned against, the government which they had done most to create and make prosperous. The change in their conduct proceeded not from treachery but from fidelity to principles. It was because their principles were still aristocratic that they would not, and indeed could not, help to guard and strengthen the fortress they had built as a protection against democracy, but which had fallen into the hands of their enemies.

Another accusation of treachery to principles, which is now almost universally accepted as just, is that based on the course of the Democratic-Republican Party from its accession to power in 1801 until the beginning of its disintegration in Monroe's second administration. In the purchase of Louisiana; in the support of an embargo which "destroyed instead of protecting" commerce; in the disregard during the war of 1812 of rights on which, under the guidance of the foremost leaders of the national democracy, the democratic states of Virginia and Kentucky had laid great stress in the Resolutions of 1798 and 1799; in the creation of the second Bank of the United States; in the passage of distinctly protective tariff acts; and in the favor shown to internal improvements: — in all these and other instances it is noted that the party interpreted the constitution in a way against which it had previously made earnest protest, and supported measures which hitherto it had condemned habitually and in the strongest terms. But did these acts proceed from treachery to democratic principles? If they prove that the party had lost its earlier convictions as to what the state should be and do, and had come under the influence of new and differ-

[1] It may be objected that the Federalists individually and as a body acted often from motives of the purest patriotism. This is conceded, but my contention is that in every such case they acted not as partisans, not as Federalists, but as Americans, and that in many of these cases Democrats could and did unite with them. But of this more below.

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ent convictions, we must answer: Yes. If, on the other hand, the party was still true to the Jeffersonian ideal of the state — an ideal which was then as it now is the best embodiment of democratic principles, and in support of which the victory of the year 1800 had been won, we must answer: No. The view which seems to me most reasonable is, that the adoption of these and like measures signifies a change in policy rather than in principles. Most of them were promoted or at least approved by Jefferson himself; and no one accuses him of betraying democratic principles. The situation was this: unless the party could meet successfully the new and, owing to the Napoleonic wars, peculiarly trying responsibilities of office, it would lose the favor of the people, and therewith all hope of soon establishing its principles as the principles of the nation. It was, therefore, not through forgetfulness of these, but in order to save them, that it resorted to the measures we have named. Only when a party deliberately and consciously adopts a policy which tends to prevent their realization can it be accused justly of betraying its principles.

Parties often misjudge not only in regard to individual measures, but as to whole lines of policy; indeed, party-history is filled to overflowing with errors of this kind, while it records few if any unmistakable cases of treachery to principles.

It is sometimes claimed that the principles of a party cannot change — that the identity of a party is maintained only through the continued support of unchanging principles. While there is considerable truth in this view, the statement should be qualified. The convictions which are rooted in character — and only such deserve to rank as party principles — cannot change easily or rapidly; still, in all progressive countries the character of the people as a whole and of each division of the people is always in process of change. The conservatives grow more liberal; the liberals, more conservative; and all more tolerant and open-minded. The movement is slow, but its influence upon the convictions which men hold in regard to what the state should be and do is very considerable. The American conservative in the days of the Whigs differed not

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a little in principle from his political ancestor, the Federalist conservative; and the Republican conservative of to-day differs quite as much from the Whig conservative, whose general principles he has inherited. But while party principles do and should undergo change, the alterations cannot go so far as to destroy or obscure the type: a party with aristocratic principles may find its ideal of the aristocratic state differing widely from that which it held a generation earlier; but so long as the ideal itself remains aristocratic, its principles have not suffered essential change.

On the other hand, many, if not most, features of party policy may undergo total change. Protection until a half-century ago was the policy of the English Conservatives; since then they have supported free trade. There are, however, certain lines of policy so well adapted to aid, under all conditions, in the establishment of particular principles, that we may regard them as permanent. Of these public education is one of the best examples; for its influence must always promote the realization of democratic principles.

When a party is first formed, the bond which unites all its members is that of common principles. As parties grow, this bond is gradually, though never completely, exchanged for that of a common policy. In modern states no party can become a great party save by winning recruits from those who never accept its principles. The Democratic Party of the United States owed a considerable portion of its strength before the Civil War to its success in uniting, in support of a pro-slavery policy, the masses of the North, whose principles were democratic, with the ruling class of the South, whose principles were aristocratic.

III. *The End of Party.*

In his *Thoughts on the Cause of the Present Discontents*, published in 1770, just a century and a quarter ago, when the material by which to test the theory was less abundant and in some respects far inferior to what we now possess, Edmund

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Burke defined party as "a body of men united, for promoting by their joint endeavors the national interest, upon some particular principle in which they are all agreed." In Burke's opinion, therefore, all parties have one and the same end, namely, to promote the "national interest"; they differ from one another only because each has its own way or method for promoting this interest.[1] This view presents parties as seeking not their own, but a higher and larger good, namely, that of the state; they come before us as zealous, high-minded servants, each working in his own way for the interest of a noble master. The picture is attractive, and our first feeling is that we would like to have it true. But is it true? Certainly there is much in party professions that may be urged in its support. Every party which thinks it has a fair prospect of winning office confines itself as closely as possible to the establishment of a single proposition, namely, that while other parties are bent on courses that tend to destroy the state, its own efforts are directed to the single end of promoting the general welfare. This is the substance of official platforms, of the letters of acceptance by party nominees, and of the effusions of the partisan stump and journal. In every one of these utterances the keynote is devotion to what Burke calls the "national interest."

If, in determining what is the end of party, it were proper to accept as true what each party claims for itself, the view of Burke would be established impregnably; but this we cannot do — and for reasons which are conclusive. In the first place, parties put forth their self-laudations when the immediate purpose for which they strive can be attained only through gaining the good-will of the general public. At such times they are in the position of courtiers, and subject to precisely the temptations to which courtiers succumb. In the second place, each, while appropriating to itself the exclusive championship of the

[1] I think the context makes it clear that when, in the quotation cited, Burke speaks of "a *principle* in which they are all agreed," he means a method or course of action. It is evident that this part of the definition summarily describes not the end itself, but the way of its attainment.

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cause of the people, describes its rivals one and all in terms which would fitly apply to public enemies; but there is no reason why in such cases self-praise should be any more trustworthy than accusations. In short, what parties say of themselves, as well as what they say of one another, is so biased by self-interest as to deserve little if any weight.

If at first sight the assent of intelligent and conscientious citizens to these confessedly interested utterances would seem to give them claim to consideration, even this is nevertheless forbidden by the reflection that such citizens are divided into groups each of which denies what the others accept.

It must, however, be conceded that the authorship of the definition we are considering, and its wide, not to say general, acceptance, raise a strong presumption in its favor; but profound and wise as he was, Burke undoubtedly erred in some of his conclusions. What assurance have we that he is right in his view of party? If true, the definition must hold of every party, both present and past. Let us apply the test. Do our American parties of to-day conform to Burke's ideal? Is it the national interest that the Democratic, the Republican and the Populist parties are seeking to promote? Or is it some other interest or set of interests, large and important indeed, but not so large or so important as the interest of the nation? Is zeal for the good of the whole people, or for that of a limited division of the people, their master motive? There can be but one answer. Each is the representative, the special champion, of a particular group of citizens for whose ideas and interests it seeks the recognition and fostering care of the state; to secure this recognition and fostering care is the end for which it came into existence and towards which all of its rational conduct tends. Moreover, what we find true of parties in the United States is also true of those of England, Italy, France and Germany. In none of these countries is it the comprehensive interest of the state as a whole for which any party stands, but the interest of one, or at most a few, of the elements that constitute the state; and this applies to the parties

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that call themselves national as fully as to the others. How relatively small this interest sometimes appears as compared with the national interest, is best seen in the many-membered party system of Germany.[1]

But the party of Burke no more resembles the party of the past than it does the party of to-day. For some centuries the plebeians and patricians of Rome constituted two distinct parties, and their struggles decided to a great degree the fortunes of the Roman state. And during the whole of this long period it was never for the sake of Rome, to make her great and prosperous, that they intrigued and fought; on the contrary, it was a narrower good, namely, the interest of a class, which furnished the party motive. But if this was true of the earlier and better days, what shall we say of the later period of the republic, when, after the old patriciate had been replaced by a plutocratic oligarchy and the masses had sunk into a shameless proletariate caring only to be fed and amused at the public expense, the party struggle assumed a more savage form and at last degenerated into a series of frightful civil wars? No reasonable student of the times of Marius and Sulla will maintain that either of the two great parties which they led sought through the policy of bloodshed and proscription to promote the welfare of the state. If we turn to the civil conflicts of the Reformation, we find in those of France and the Netherlands, as well as in those of Germany and, to a great though lesser extent, in those of Scotland, England and Scandinavia, that the interest of a creed, rather than the national interest, was the end for which always one, and sometimes both, of the parties contended. Equally clear is it that in the French Revolution the Jacobins, in undertaking to destroy the higher and middle classes, were seeking to advance, not the interest of France, but simply the mistakenly supposed interest of the lower classes. In no other way can we satisfactorily account for the changed attitude of the Federalist Party of the United States toward the national idea after their defeat in 1800. They cared more for the aristocratic principle of Federalism

[1] See Walcker, Kritik der deutschen Parteien, pp. 1–142.

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than for the nation ; otherwise they would have remained true to the nation despite the rejection of their principle.

It is moreover a common observation that when states enter on a period of decline, party struggles grow more violent and become always an important and sometimes a chief factor in hastening the process of destruction. It was so in the states of Greece, in republican (as distinguished from imperial) Rome, and in the Eastern Empire. It is certainly not easy to reconcile this fact with the view that the end of party is to promote the general welfare. When, however, a state is in a really healthful condition, the appearance of a great national emergency is the signal for the abatement of party strife. This happened at the outbreak of our Civil War, when Democrats and Republicans worked together to save the Union, each party laying aside to a considerable extent and for the time being the policy for which it had labored previously. This is illustrated in the organization, without prohibiting slavery, of the territories of Colorado, Dakota and Nevada in 1861, when the Republicans had control of both houses of Congress. The sinking of the partisan — I do not use this word as a term of disparagement — in the patriot was nobly exemplified by President Lincoln. His letter to Horace Greeley under date of August 22, 1862, tells what was true of him in this respect from the first day to the last of his term of office :

> *My paramount object is to save the Union, and not either to save or destroy slavery.* If I could save the Union without freeing any slave, I would do it — if I could save it by freeing all the slaves, I would do it — and if I could do it by freeing some and leaving others alone, I would also do that. What I do about slavery and the colored race, I do because I believe it helps to save this Union ; and what I forbear, I forbear because I do not believe it would help to save the Union.

Other notable instances are to be found in the coöperation of Whigs and Democrats in the compromise Tariff Act of 1832, in the more general compromise measures of 1850, and in the patriotic course of the Democrats in the crisis that followed the disputed election of 1876. But it is precisely at

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such junctures as these, during which parties do work together to promote the national interest, that they are least like parties. Indeed, at such times strictly party ends are held in abeyance, and parties lose temporarily their most distinctive traits. As soon, however, as the crisis has passed they resume their natural character, and devote themselves to the ends for the sake of which they came into being. On the other hand, the readiness to sacrifice the national interest to that of the limited group which a given party represents always increases with the growth of party spirit; that is, when a party is most a party it is most ready to disregard and even to attack the interest of the people as a whole.

To sum up: the true end of party — the end, I would repeat, of which it is itself conscious — is, in ordinary times, to promote not the general interest, but the interest of a class, a section or some one of the many groups of citizens which are to be found in every state in which there is political life, an interest which is always something other — and generally, though not always, something less — than the national interest.

But why should the state be divided into groups with separate and sometimes conflicting interests? Why cannot there be throughout the nation one interest, one mind, one aspiration and one public policy, for whose establishment all shall work together harmoniously? Some dream of this, but not wisely; for the Creator has so made man that his progress depends on diversity. A society in which all should feel, think and act alike would soon almost cease to feel, think and act. Such a society could not be composed of individuals; it would itself be the only individual. Instead of a rich, varied, continuous, ever-advancing development, it would be capable of energetic activity only when first created, and this would be followed by an exhaustion and lethargy from which there could be no recovery, because in its members the principle of life and growth would have perished. The health and progress of the state as a whole depends on the health and development of the groups of citizens which are its elements. To promote the health, to aid the development, to secure from the state

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for each group that degree of recognition and fostering care which are its need and due, — this is the not ignoble end for which parties exist.

In many ways the relationship of a party to the group of citizens of which it is the political representative, is like that of the state to the people of whom this group forms a part. In a general sense what the state undertakes to do for the people, a party undertakes to do for a group. To promote the national interest, that is, the interest that is common to all, is the immediate end of the state ; to promote the group interest is the immediate end of party. In working toward its proper end the state organizes and protects the people and fosters their development ; the party does precisely the same for the group. Each state in dealing with other peoples secures for its own as much influence, reputation and material gain as it can ; each party in dealing with other parties does the same for the group under its charge. In early times no state recognized the rights of other states; the same is equally true of early parties. After many ages of sanguinary struggle states are rising to the consciousness of a world-unity and the obligations which this unity imposes on each towards all ; the same has happened to parties. Indeed, it is doubtful whether the humanization of man — the noblest of all the fruits of progress — is more evident in the changed and changing inter-relationship of states or in that of parties.

To give in briefest compass the substance of the views above set forth, I would say that, just as a state is the political self-realization of a people, so a party is the political self-realization of a group of citizens within the state.[1]

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[1] The limits necessarily assigned to this article have made it impossible to treat with fulness any one of its several topics. Two of the most important, namely, the growth of parties through the substitution of a common policy for common principles, and the relationship of party to the state, have been introduced rather than discussed. Others, such as the analysis of party policy, the relation of party to government and the claims of party upon the citizen, each of which stands in a vital relationship to the theory, are omitted altogether.

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JEAN BODIN ON SOVEREIGNTY.

WITH SOME REFERENCE TO THE DOCTRINE OF THOMAS HOBBES.

THE political and legal philosophy of England since Bentham has done much for the fame of Thomas Hobbes. Reverential hands have placed the sage of Malmesbury on a pinnacle where his peculiar genius may receive its due honor. It was a characteristic freak of fate that committed to Austin and Molesworth and Grote, chiefs of modern radicalism, the task of securing proper recognition for the most resolute defender of absolute monarchy. The work, however, was well done, and to-day English politics and jurisprudence alike look to Hobbes as their philosophical progenitor. His devotion to the cause of monarchy is justly regarded as accidental rather than essential in his general theory. Quite apart from this incidental feature, the solid and enduring substance of his system is his doctrine of sovereignty — of the ultimate nature of political and legal authority. The mathematical precision of his analysis in this field forms a most striking contrast to the confused thinking of most of his contemporaries, and the English school of positive law has done little more than develop the conceptions which he clearly defined.

The veneration of Hobbes by his countrymen is thus justifiable. But though his work in the development of political science was great and significant, it is quite wrong to suppose that the history of the theory with which his name is associated begins with him. Thoughtful Englishmen nowadays sometimes concede the insularity of their national character. It is this quality, probably, that accounts for the common neglect of Hobbes's continental forerunner. The same tendency is at work in the common ascription of the theories of the social contract and of popular sovereignty to the writers of the Puri-

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tan revolution in England. As a matter of fact, these ideas played a great rôle on the Continent seventy-five years before they assumed prominence in Great Britain.[1] The Anglo-Saxon spirit, however, is not historical. The applicability, not the origin, of political ideas, has for it the greatest interest. It would not be rash to assert that a majority of intelligent and ordinarily cultivated Americans believe that Thomas Jefferson invented the theory of natural liberty and equality which is expressed in the preamble to the Declaration of Independence; and probably George III would get an easy recognition as the leading exponent of the theory of absolute monarchy. The history of political theories, as a fruitful branch of philosophical general history, has not yet received much attention from English-speaking peoples. Professor Pollock's excellent but inadequate *History of the Science of Politics*,[2] is the only systematic work in the language that I know of. Sketchy as it is, however, it opens up in every direction vistas that lead the reader far beyond the history and the literature of England. Not the least important of its suggestions is this: that in the religious and political chaos of the Continent, and especially of France, during the sixteenth century, were moulded into form both the theory of absolute monarchy and that of popular sovereignty. England under the Tudors had the practice, but not the theory,

[1] *Cf.* Professor H. L. Osgood, "The Political Ideas of the Puritans," in the POLITICAL SCIENCE QUARTERLY, VI, 1 (March, 1891). It is by no means intended to intimate that these ideas cannot be traced farther back than the sixteenth century. Sir Robert Filmer, whose Patriarcha Locke and the modern *Zeitgeist* have combined to render rather ridiculous, was yet on solid historical ground when, speaking of the theory of popular sovereignty, he attributed its development to the schoolmen, "who, to be sure to thrust down the king below the pope, thought it the safest course to advance the people above the king" (Patriarcha, I, 1, end). And the influence of the classical writers in moulding the theories of the schoolmen is well known. For the early history of the social-contract idea, *cf.* Mr. D. G. Ritchie, in this QUARTERLY, VI, 656 (December, 1891); also in his collected essays entitled Darwin and Hegel (Sonnenschein and Macmillan, 1893).

[2] Macmillan, 1890. This little sketch of 126 small pages, covering the whole field down to modern times, presents a significant contrast to Janet's two-volume Histoire de la Science Politique, which ends with the eighteenth century, to Bluntschli's excellent Geschichte der Neueren Staatswissenschaften, and to the encyclopædic work of von Mohl.

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of absolute monarchy. Hobbes completed a rational theory just as the practice finally ended. In France the Huguenot writers developed the theory of popular sovereignty which triumphed in England; but when order came in their own land the political question was settled on the lines of absolute monarchy. And the writer who formulated the theory which thus gained practical ascendency bore the name of Jean Bodin.

In this article I propose to examine some of the more prominent features of Bodin's political thought, and particularly his theory of sovereignty. In comparing his views with those of Hobbes a sufficient resemblance may appear to attract attention. But it is not at all necessary to conclude that the Englishman slavishly followed the earlier writer. A very superficial knowledge of Hobbes's intellectual equipment will suffice to absolve him from the suspicion of subserviency to the thought of another; and the differences between the two men in method and in general philosophic feeling are as marked as the similarity in some of their conclusions. The objective political conditions amid which they lived, however, were in many repects similar, and conspired to lead them to the same solution for their respective problems. Hence, from different starting-points and by different routes, the two reached the same goal. But Bodin preceded Hobbes in time; and it is no discredit to the latter to conjecture that the work of the former played some part in determining the type of his philosophy.

I.

The dates which mark the limits of Bodin's life, 1530 and 1596, suggest at once the turmoil of his political environment. It was the period that witnessed the extinction amid imbecility and crime of the house of Valois. The forces of feudalism; revived under declining royal authority, and those of religious animosity, stimulated by the Reformation, reduced France to anarchy. Imminent or actual civil war was for four decades the prevailing condition. It was the time of the Guises, of Catherine de

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Medici, of St. Bartholomew's, and of the League. French history at this period presents the Gallic version of the Wars of the Roses and the Puritan revolution. France combined the outbursts which England separated by nearly two centuries.

In the civil and religious strife of the times, Bodin was fitted neither by character nor by training to be a violent partisan.[1] His temperament was altogether scholarly and philosophical. So far was he from sharing in any of the religious prejudices which played so large a part in the prevailing troubles, that it is not known to this day precisely what his creed was.[2] He was educated as a lawyer, but lacked the spirit of the practitioner. Seeking his fortune at Paris (he was born at Angers), he seems to have had no success at the bar; but his first published work[3] brought down upon him promptly the wrath of no less a personage than Cujas, the acknowledged leader of French jurists at that time. For Bodin, regarding law from the standpoint of universal history, was outspoken in criticising the exclusive study of the Roman law which was characteristic of his day; and Cujas was scandalized at his heresy. Bodin's ability soon brought him into connection with the court, and most of his life was spent in the public service. Fully informed as to the forces at work in the political conflicts of the time, he set himself resolutely against all disintegrating tendencies. With the Chancellor L'Hôpital, and the other distinguished thinkers who came to bear the party name of *Les Politiques*, Bodin sought to restrain every faction, whether Catholic or Huguenot, whether Guise or Bourbon, and to

[1] All desirable information as to the personality of Bodin, as well as an admirable analysis of his works and of the political theories of his contemporaries, may be found in the exhaustive work of Henri Baudrillart, J. Bodin et son Temps (Paris, 1853).

[2] The inconveniences of the philosophical attitude in his day are illustrated by the fact that Bodin was assailed at different times as a Catholic, a Calvinist, a Jew, a Mohammedan and an atheist. His Heptaplomeres is a remarkable work, in the form of a dialogue between representatives of seven religious and philosophical creeds, with a strongly theistic tendency. *Cf.* Baudrillart, p. 190.

[3] Methodus ad facilem Historiarum Cognitionem (1566). The work embodies in outline a philosophy of law and a philosophy of history. Its general lines are those of Montesquieu's Esprit des Lois.

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center authority in the monarch. The Machiavellian methods of Catherine de Medici and her infamous offspring long rendered impracticable the policy of the moderates; but it was to the latter that was due ultimately the accession of Henry IV.

In the great mass of literature which the civil wars called forth there was rarely to be found any defense of absolute royal power. Huguenots and Catholics alike proclaimed in vehement terms the dogmas of popular sovereignty and tyrannicide. The criteria of tyranny were, of course, contradictory. To the Calvinist the plotting of St. Bartholomew's was a most conclusive test; to the Papist, the desertion of the League. Equally diverse and confusing were the theories as to the authority which should act in decreeing the deposition of the tyrant. Was this power in the general body of his subjects, in the privileged classes, in the estates, in the parliaments, in foreign rulers, or in the pope? Each of these solutions had its advocates, but none of them carried conviction beyond a relatively small circle of supporters. The times were not suited to close logic and exact thinking. Controversy, not philosophy, was uppermost in men's minds; passion, not reason, was the animating force. It was amid the chaos of thought and feeling which this literature reveals that Bodin's *Republic* appeared, clearly distinguished from its contemporaries by the philosophic serenity of its spirit, the scope of its learning, the precision of its analysis and the exactness of its logic. The book is characteristic of its author. Bodin, like Hobbes sixty years later, could find no firm footing in the theories of the factions. He felt the need of a system that should embody somewhere a clear and unquestionable source of authority. His historical and philosophical training furnished him with a method; his study of Aristotle suggested the outline of his work; his juristic training and experience guided him in the detection and elaboration of refined legal distinctions; and the necessity of the times dictated his triumphant presentation of an exact theory of sovereignty.[1]

[1] The practical ends that Bodin had in view are very clearly stated in the dedicatory preface of his Republic.

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One need only recall that Hobbes's *De Cive* appeared in 1647 and his *Leviathan* in 1651, to realize how closely the general conditions amid which he wrote paralleled those that surrounded Bodin.[1] English and Scotch Puritans were declaiming as vigorously against tyranny as had the Huguenots before them, and were even more vigorously resisting the tyrant; the Parliament at London was imposing practical restrictions upon the monarch more effectively than had been done by the French Estates-General; and in the literature of the time there was no less of passion and no more of clear-cut and generally accepted doctrine than there had been at the time of St. Bartholomew's. Hobbes published his political treatises while in exile. The meeting of the Long Parliament had been too much for his none too steady nerves, and he had gone immediately to France, "the first of all that fled," as he himself candidly confesses.[2] In Paris he lived in close relations with the royalist colony, and for a time acted as instructor to the future king, Charles II. Like Bodin, thus, he was identified with the royalist party in a time of civil dissension. Like Bodin, he wrote his philosophy of politics for the explicit purpose of attaining exactness in the conceptions of state and sovereignty.[3]

But when we consider the philosophical methods of the two writers, we are confronted with the widest possible divergence. In Bodin appears the lineal successor of Aristotle and Machiavelli and the forerunner of Montesquieu, — the thinker who seeks from the results of man's experience in social and political life to generalize the principles upon which that life depends. The pages of the *Republic* are crammed with historical lore from every age and clime, and the science of the state appears in the fullest sense as an inductive science. Hobbes, on the other hand, is thoroughly imbued with the spirit that brought

[1] Though Hobbes seems to have thought out the general principles of his political philosophy before the civil war in England, the precise formulation of his theory was undoubtedly influenced by the events of that war. *Cf.* article "Hobbes," by Prof. Croom Robertson, in Encyc. Brit., 9th ed.

[2] Works, Molesworth's edition, 1840, IV, 414.

[3] *Cf.* introductory letter to the Earl of Newcastle, Works, vol. iv.

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forth in his day such astonishing results in physics and mathematics. To him geometry was the only true science;[1] and the exactness of its method and conclusions could alone satisfy his mind. Accordingly the *Leviathan* reveals no such array of erudition as swells the volume of the *Republic*. There appear instead a series of definitions in which the fundamental concepts of science are formulated and distinguished with astonishing acuteness; and from these depends a chain of deduction so close and cogent as to bear the reader helplessly to the philosopher's conclusions. The critic who seeks to assail the system of Hobbes at any point in its development must be bold indeed. Like Euclid, he can be attacked only in his premises. His political writings are quite bare of historical references. He rests the success of his theories wholly on the intellectual conviction that his abstract reasoning about human nature must effect; while Bodin depends upon the interpretation of the concrete facts of man's experience.

At one point the two philosophers come on common ground, and that is, in their position with reference to the use of authority. Both are true representatives of the *Renaissance*, and so have great contempt for the methods of the schoolmen. Bodin complains of the hopeless diversity of views among those who have written on politics, and concludes that it is not worth while to waste time in weighing authorities.[2] Hobbes never loses an opportunity to express his disdain for the schoolmen, and indeed for any one "who takes up conclusions on the trust of authors, and doth not fetch them from the first items in every reckoning, which are the significations of names settled by definitions."[3] Those who depend on authority may *believe*, but they cannot *know*.

[1] "Geometry, which is the only science that it hath hitherto pleased God to bestow on mankind." — Leviathan, ch. iv.

[2] "Quaerendum putavimus, non quid quisque dixerit aut senserit, quantaeque auctoritatis fuerit, sed quid rationi convenienter posset et sententiae suae dicere." De Republica Libri Sex, Præfatio (Francofurti, 1641).

[3] Leviathan, ch. v, *et passim*. Hobbes had great confidence in reflection as contrasted with reading. He said that if he spent as much time as others did in reading, he would be as ignorant as they.

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II.

In laying the foundations for his discussion of sovereignty, Bodin follows pretty closely the lines of Aristotle's *Politics*. The social basis and philosophical end of the state; the analysis of the family and the distinction between family and state; the characteristics of paternal authority and the institution of slavery, — are all treated in a manner that strongly suggests the Greek precursor. But it cannot be said that Bodin is subservient to the Stagirite in his conclusions. He is too true to the Aristotelian method to attain Aristotelian results. In philosophy based on history, the accident of chronology must profoundly affect different systems. The later writer has necessarily more history from which to generalize. Nineteen centuries separated Bodin from Aristotle — centuries replete with striking social and political phenomena. That any of the Greek's principles could be approved by the Frenchman, is a great tribute to the former's genius; that so many were modified or rejected, is the surest basis for the renown of the latter. The influences which are most apparent where Bodin diverges from Aristotle are those of Roman history and law, Jewish tradition and recent European history.

It is not my purpose to dwell on all the interesting features of the *Republic* outside of the doctrine of sovereignty. Some of the more striking may be mentioned in passing. The author formulates at the outset a definition of the state (*respublica*) which suggests the most conspicuous characteristics of his philosophy. "The state is an aggregation of families and their common possessions, ruled by a sovereign power and by reason."[1] In this is implied, what the later chapters elaborate, that the basis of the state, both in historical and in logical development, is the family; that a distinction must be drawn between interests that are common and those that are not; that a supreme power is essential to the idea of the state; and that government is conditioned by a moral end. By rational

[1] "Respublica est familiarum rerumque inter ipsas communium, summa potestate ac ratione moderata multitudo." Lib. i, cap. i.

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rule he means rule in accordance with that natural law which embodies the dictates of justice. The sway of reason, rather than appetite, he regards as indispensable to distinguish between a state and a pirate band. In treating in detail of social relations, he brings to bear against the theories of communism not only the Aristotelian arguments, but also the recent practical results of Anabaptist extravagances in Germany. Family relationships are closely analyzed, with a leaning towards a conception of marital authority that has more kinship with the rights of the *pater familias* in Roman law than with the "constitutional government" of the Aristotelian husband. Finally, Bodin creates a distinct place for himself in the history of social evolution by an elaborate assault on the moral and philosophical foundations of the institution of slavery.[1]

As between Hobbes and Bodin, it would not have been strange if the latter, rather than the former, had conceived of the state as having its origin in a deliberate act of volition on the part of a number of individuals. The contract theory of the state was so direct an outgrowth of the revival of Roman law in Europe that a jurist of the sixteenth century might very naturally have adopted it. But in Bodin's day the contract idea was the weapon almost exclusively of the factions whom he was *opposing*; and this fact, combined with the historical bent of his temperament, turned him to the Aristotelian conception of the state as a phenomenon developing more or less unconsciously out of the inherent qualities of man and his environment.[2] By the time Hobbes wrote, the contract theory had become so ingrained in all political philosophy that to avoid it was as impossible as it is to-day to avoid the influence of the theory of evolution. The Englishman, therefore, took it up, but so modified it as to render it serviceable to absolutism as well as to what he considered anarchy.

It is in the sixth chapter of the first book of the *Republic*,

[1] Lib. i, cap. v.

[2] Strictly speaking, it is society, rather than the state, that Bodin conceives as thus originating. The distinction between the two is vaguely present in his mind. The objective fact in the formation of historical governments he holds to be *vis major*. *Op. cit.*, I, vi.

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where Bodin takes up the consideration of citizenship, that the character and importance of his theory of sovereignty begin to appear. The confused and contradictory criteria of citizenship in Aristotle's *Politics* are rejected, especially the assertion that participation in political rights (ἐκκλησιάστης καὶ δικάστης) is a prime characteristic of the citizen. A citizen, says Bodin, is "a free man who is subject to the sovereign power of another."[1] "Free" excludes slaves, but not women or those under paternal authority. Excepting the servile class, then, the population of a state falls into two primary divisions, sovereign and citizens. In the latter class there may be, with respect to one another, an infinite variety of rights, privileges and immunities of individuals; but with respect to the sovereign, all stand in precisely the same relation, namely, subjection. It is not necessary to follow Bodin's exhaustive examination of the law of antiquity and of later centuries to catch the drift of his purpose. He is very ready to concede that the peer may have different rights and privileges from the townsman (*bourgeois*), the townsman from the rustic and from other townsmen; but he feels that the aggregation of social classes which feudalism has developed can only attain the unity and order of the true state life through a power dominating and regulating all alike. Subjection to such a sovereign power is the sole test of citizenship, and the recognition of a common sovereign is the sole criterion of a state (*respublica*).

Like many of his predecessors in political philosophy since Aristotle became the chief authority in Europe, Bodin is troubled to adapt to the great feudal monarchies of the sixteenth century the principles which the Greek derived from the homogeneous city-state. He is writing in the time of transition from the feudal to the national state. He is conscious of the importance of common customs and laws in determining political relations, but as a loyal subject of the French monarch, he cannot at all concede that such community is a basis for political independence. He distinguishes, there-

[1] Liber homo qui summae alterius potestatis obligatur. I, vi.

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fore, between the state (*civitas*) and the commonwealth (*respublica*) much as it is customary at the present day to distinguish nation from empire. The *respublica* consists of citizens subject to the same sovereign power,

> tametsi moribus, legibus, institutis ac infinita gentium varietate inter se differant. Si vero cives omnes iisdem legibus utantur, non solum eadem respublica, sed etiam civitas eadem est; tametsi cives huc illuc per vicos, urbes et municipia dispersi a se ipsis sedibus sejungantur. . . . Civitas plurium vicorum ac urbium cives iisdem legibus ac moribus complexa moderatur.[1]

Throughout the chapter it is possible to discern in Bodin's thought the influence of Greek, Roman and mediæval conceptions. The Hellenic πόλις and the Roman *urbs* and *municipium* included villages (*vici*); the feudal state, after the rise of the towns, included many *urbes;* and Bodin's *respublica* includes all these earlier forms.

III.

In the eighth chapter of Book I, Bodin takes up the formal discussion of sovereignty.[2] The idea is embodied, as we have already seen, in his definition of state. He defines the conception thus: "Sovereignty is supreme power over citizens and subjects, unrestrained by the laws."[3] Considering that such a definition is absolutely essential to the idea of the state, Bodin assumes an air of pardonable pride in declaring that neither philosopher nor jurist has ever before propounded one.

In the development of his definition, it is laid down that authority which is truly sovereign must be not only supreme, but perpetual — that is, without limit of time. Thus the Roman dictator, with all his power, fell short of sovereignty through the limitation of his term. Similarly any official entrusted with supreme authority for the accomplishment of some specific purpose is less than sovereign. The *Decemviri*

[1] De Republica, I, vi.

[2] For a good account of the earlier history of this conception, see Gierke, Johannes Althusius, pp. 123 *et seq.*

[3] Majestas est summa in cives ac subditos legibusque soluta potestas.

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legum ferendarum were but the commissioners of the sovereign *populus Romanus*. Regents, viceroys and such dignitaries fall into a like category. Yet Bodin takes care not to carry the idea of "perpetual" too far. He is not ready to exclude the conception of monarch from the scientific treatment of politics. "But if," he says, "we construe perpetual power as that which will never have an end, sovereignty will have no existence save in the popular and the aristocratic state; since the people [only] is immortal, unless, indeed, it be utterly exterminated." The life tenure of supreme power, therefore, constitutes sovereignty in an individual. Sovereignty in this sense may be bestowed by a people on an individual, or be transferred from one individual to another, and in either case it is equally valid, so long as it is free from condition.

Just at this point there is obvious one of the gaps in Bodin's theory. He is at some pains to establish the alienability of sovereignty — that long and hotly contested point; but he omits to account philosophically for the possession of that which he holds may be transferred. He is very near to a realization and a solution of the problem when he reflects on the immortality of "the people," as compared with any individual. He might have distinguished between the eternal principle of order and authority which is implied in the very conception of an immortal people, and the power to issue and enforce specific commands which is but an outcome of that principle. But here, as in so many other parts of his work, Bodin is preoccupied with his purpose of justifying absolute monarchy; and he misses the chance to pass from legal to the broader grounds of political sovereignty.

The supremacy implied in *majestas* is set forth by Bodin with an abundance of analysis and illustration. The essence of the idea is embodied in the words "*legibus soluta*." Sovereignty has its chief and characteristic function in the making of laws.[1] From the binding force of these laws, the sovereign is by the nature of the case free. But not from all laws. "If

[1] Summum jus majestatis in eo potissimum versari, cum non modo singulis sed etiam universis leges dantur iisque imperatur.

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we should define sovereignty as a power *legibus omnibus solutam*, no prince could be found to have sovereign rights; for all are bound by divine law, by the law of nature and by that common law of nations which has its source in these." This distinction is consistently observed by Bodin. His legislator is the legislator of the jurist, not of the theologian or of the moral philosopher. He assumes, but nowhere closely defines, the *leges divinae, naturae et gentium*. Those are conceptions beyond his precise sphere, always controlling, indeed, but from a higher plane, the phenomena with which he wishes specifically to deal. The sovereign, like the subject, is bound by the law of God and of nature, but his obligation in this respect is to God, by whom it will be enforced.

As to the civil law — the law of the land — the sovereign's[1] will is the ultimate source of its every precept, and the will is free. No statute, whether enacted by himself or by his predecessor, survives a duly signified change of will on the part of the holder of sovereign power. Bodin is quite explicit in laying down this fundamental principle, but his subsequent discussion introduces some important modifications. The law of God and of nature comes in to determine the answer to several questions. If a prince (sovereign) has sworn to observe the laws of his fathers, is he bound thereto? Not, says Bodin, if he has sworn merely with himself; but the obligation is good if another prince (sovereign) has a recognized interest in it, or if it is undertaken toward the subjects as a condition of reigning. Here, however, the force of the obligation arises not from the oath but from the *bona fide* contract, which, in the case of a sovereign, must be sharply distinguished from a law. The prince, like the private citizen, is subject to the principles of natural law, among which the keeping of contracts occupies a high place. Yet when the reason for a pledge has ceased, the obligation on the part of the prince *ipso facto* ceases. Though Bodin does not point it out, the sovereign,

[1] Bodin employs the word *princeps* for "sovereign"; and this usage contributes greatly to aggravate the confusion between sovereign and monarch which has its primary source in the writer's preference for monarchy.

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under this theory, has a most important advantage over the subjects in the fact that his decision as to when the reason for a given pledge has ceased is very likely to be final. That the author is in some way conscious of difficulty in the practical working of his principle appears, however, in his declaration that "well-informed princes do not allow themselves to come under the obligation of an oath where matters of legislation are concerned, lest they should not enjoy the supreme power in the state."

In addition to the keeping of promises, the other principles of the law of nature operate to hedge about the sovereign. Especially earnest and explicit is Bodin in the matter of private property. The omnipotence of a prince is only *imperium*, not *dominatus*. The author cites approvingly the maxim of Seneca: *Ad reges potestas omnium pertinet, ad singulos proprietas*. "Without just cause the sovereign cannot seize or grant away the property of another." And he cites with a true lawyer's delight instances in which the French kings have submitted to the judgments of their own courts in questions touching private property.

It is obviously with a view to guarding against any possibility of warping his theory to the support of oppressive government that Bodin dwells with such iteration on the restraints that the sovereign must find in the divine and natural law. An elaborate distinction between the king and the tyrant is worked out on this basis.[1] The king is he who renders to the laws of God and of nature the same obedience which his subjects render to him. The tyrant spurns these laws and abuses at his caprice the liberties and property of his subjects. But the tyrant is no less a sovereign than the king. Sovereignty is a political fact, consisting only in the possession and exercise of supreme power; the distinction between true royalty and tyranny rests

[1] Lib. ii, cap. i–iv, passim. Bodin actually makes a threefold classification of monarchies, the characteristic of one class, the *Dominatus*, being the enjoyment of property rights (*dominium*) by the sovereign over the persons and possessions of his subjects. The same principle of classification is applied rigorously to aristocracy and democracy also.

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on a moral principle, and is determined by the mode of exercising this power.

In addition, however, to the restraints of divine and natural law, there are evidences in Bodin's thought of other limitations upon the sovereign which cannot so easily be put in the category of moral as distinct from legal limitations. There are *laws* in the state which the sovereign cannot touch. His allusions to these superior rules are far from clear, but they seem to indicate a somewhat vague notion in the writer's mind of what we call a constitution. Thus, in discussing the extent of the sovereign prince's authority in respect to the laws, he says :

> But so far as concerns the laws of empire (*leges imperii*), since they are connected with sovereignty itself, princes can neither abrogate nor derogate them. Of this class is the Salic Law, the firmest foundation of this kingdom.

In not explaining fully the conception involved in the term *leges imperii*, Bodin is again guilty of a serious lapse. His anxiety to have something in a state more fixed and permanent than the human will leads him to limit the power *legibus soluta*, by *leges* as well as by *jus*. But who is the law-maker in the case of these *leges imperii?* Bodin might have answered, consistently with his general theory of the historical origin of the state : Nature. But this conception of nature would have been quite distinct from that which lay at the bottom of his *leges naturae*, and would have led to multiplied confusion. Or he might have found the source of these laws in that people, in whose collective life he sees the only possibility of a perpetual sovereignty.[1] But from lines of reasoning that lead in the direction of popular authority, Bodin's aversion is very pronounced ; a *populus* in his view is too nearly identical with a disorderly mob. So his opportunity to elaborate the great distinction between the constitution-making sovereign and the ordinary law-making superior was lost. With his exact definition of the latter, however, he advanced the theory of sover-

[1] *Supra*, p 93.

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eignty to a point beyond which a great many writers have not passed even at the present day.

The failure of Bodin to dilate upon the distinction just noticed is the more surprising in view of the very elaborate discussion of the meaning of *lex* in his treatment of the characteristic rights (*jura*) of sovereignty.[1] The first of these rights is *legem universis ac singulis civibus dare. Lex* is sharply distinguished from *edictum* or *decretum.* The sovereign makes law; the magistrates issue decrees. So the relation of custom (*consuetudo*) to law is effectively set forth. It is not true, he holds, that custom and law are of like character and force, and that the people, as the source of the one, is on a level with the prince, the source of the other. Law can abolish custom; not so the converse:[2] custom has no sanction, while sanction is characteristic of law; the force of custom is precarious till the sovereign establishes a sanction, whereupon the custom at once becomes law. Hence, he concludes, both law and custom depend on the will of those who hold the sovereign power in the state. Again, the distinction between *lex* and *jus* is noted. *Jus* relates to what is just and good, without regard to any command; *lex* relates to the sovereignty of one issuing a command.[3] In short, law, he says, is nothing else than a command of the sovereign. After this, the conception of *leges imperii*, above the sovereign will, seems very much out of place in Bodin's system.

More in keeping with his usually vigorous logic is his analysis of the forms of state.[4] Here his keen analysis leads him to the presentation of a distinction of the utmost importance to scientific politics. Adopting, with characteristic criticism and amendment, the old Aristotelian classification of monarchy, aristocracy and democracy, he points out that the

[1] Lib. i, cap. x.

[2] This apparently doubtful proposition he fortifies by declaring it the duty of the magistrates to recall into operation laws whose force has been weakened by custom.

[3] Plurimum distat lex a jure: jus enim sine jussu, ad id quod aequum bonum est; lex autem ad imperantis majestatem pertinet. Lib. i, cap. viii.

[4] Lib. ii, cap. i.

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essential character of the state is quite different from the principle of government.[1] The state may be monarchic and the government aristocratic or democratic; or an aristocratic state may be popular in government. Whatever may be the minor defects in Bodin's conception of sovereignty, it is clear enough to lead him to this capital distinction between state and government. The form of the state is determined solely by the number of those in whom the sovereignty is vested; the form of government is determined by the manner in which the administration of the sovereign's will is distributed among the subjects. There are but three possible forms of state, according as the sovereignty is in one, in more than one but less than all, or in all. Writers who have talked of mixed forms of state have been led astray by their failure to distinguish state from government. Not in sovereign power, but in administration can there be such a joint participation of different elements as to justify the designation "mixed." A monarchic state has an aristocratic government when the sovereign monarch confers honors and offices upon certain classes only; it has a democratic government when honor and office are bestowed on all classes alike. The early Roman republic was a democratic state with an aristocratic government. The Athens of Pericles was democratic in both state and government.

In applying his doctrine to the facts of contemporary state systems, Bodin strikes a vicious blow at that venerable sham, the Holy Roman Empire. Tested by his conception of sovereignty, this august body politic is found to be, not the most exalted of monarchies — indeed, not a monarchy at all, but so far as it is a simple state, a mere aristocracy.[2] Sovereignty is in the diet, not in the emperor. In respect to the complete sovereignty of each of the members of the empire, however, Bodin thinks that it is really more like a confederacy than a simple state. So far as I am aware, this is the earliest literary

[1] Illud admonendi sumus, reipublicae statum ab imperandi ratione distare plurimum, quod ante nemo quantum intelligere potuimus animadvertit. — Lib. ii, cap. ii, *ad init.*, *et passim*.

[2] Lib. ii, cap. vi.

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exposition of the transformation of the empire, which became very clear to everybody after the Thirty Years' War.[1] England gives Bodin some trouble in classification. If Parliament really possesses all the importance that is claimed for it by the historians, he recognizes the impossibility of describing England as a true monarchy. But his investigation of incidents in the Tudor reigns convinces him that ultimate authority is really in the king, and that accordingly the state is monarchic. A similar conclusion is reached as to Spain; and France he treats throughout as a model monarchy of the royal type.

IV.

When we turn from Bodin to Hobbes, we find that the latter, unlike the former,[2] leaves no uncertainty in respect to the origin of sovereignty. A deliberate act of volition by each member of a community transfers all his rights and powers to some person or assembly of persons. In this transfer is to be found the origin of the body politic, as distinct from a mere inorganic mass of individuals. In the aggregate of rights and powers transferred is the essence of sovereignty. Right and might are in Hobbes fundamentally identical; therefore, supremacy of the sovereign over the individual springs immediately from superiority of power. But Hobbes is not content to start from the mere fact of individual consent as the condition of political organization. The cause for this consent is sought, and is found in the instinct of self-preservation. Without following the philosopher into his ingenious theory of the "state of nature" and the "war of all against all," his conclusion is that for self-preservation men's reason teaches the necessity of certain rules, conformity to which is indispensable to social existence. These rules require, among other things, the abandonment by the individual of his natural rights, which

[1] From as far back as the time of Philip the Fair the lawyers of the rising French monarchy had scoffed at the pretensions of the emperors; and legal tradition probably aided Bodin in his criticism. *Cf.* Poole, Illustrations of Mediæval Thought.

[2] *Ante*, p. 93.

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are identical with his natural powers, the keeping of covenants (in which alone, according to Hobbes, consists justice), the exercise of gratitude, forgiveness, equity, *etc.*[1] But having deduced these laws of nature, and formulated them so as to make them the logical basis of the state, Hobbes takes precautions at once to avoid the ambiguities and confusions found in Bodin at this point.

The greatest improvement made by Hobbes upon his predecessor is undoubtedly to be found in the Englishman's analysis of the term law. The so-called laws of nature which he has worked out, are not, he says, really laws, but merely "conclusions or theorems concerning what conduceth to the conservation and defense" of men. "Law, properly, is the word of him that by right hath command over others."[2] The ultimate human right to command is vested in the sovereign by the contract through which the state is instituted. Civil laws, then, consist in expressions or other manifestations of the will of the sovereign, who himself is not bound thereby.[3] Divine law is that which emanates from the will of God. Ultimately the law of nature may be regarded as divine law, though it is present to men not directly as a command, but as a body of principles found out by the reason. A directly revealed command of God addressed to a particular person or people is law proper, and is designated as "divine positive law."

Discriminating thus between the different kinds of law, Hobbes understands and boldly grapples with the difficulties bound up in the question of interpretation. He will not leave open here a refuge for the enemies of order. All laws, he says, need interpretation, particularly the unwritten law of nature.[4] But this latter becomes law proper only when it is embodied in commands of the sovereign; and for the citizen the binding interpretation in this case, as in case of civil laws pure and simple, is that of the sovereign, through his duly constituted judges. Hobbes has no patience with those who

[1] Leviathan, chapters xiii–xv.
[2] *Ibid.*, (Morley's edition), pp. 78, 79.
[3] *Ibid.*, p. 123 *et seq.* [4] *Ibid.*, p. 128.

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look to the moral philosophers for authority as to the law of nature, or to the commentators as to the civil laws.

> The interpretation of the laws of nature in a commonwealth dependeth not on the books of moral philosophy. The authority of writers without the authority of the commonwealth maketh not their opinions law, be they never so true. That which I have written in this treatise concerning the moral virtues, . . . though it be evident truth, is not, therefore, presently law. . . . For though it be naturally reasonable, yet it is by the sovereign power that it is law.[1]

And again:

> When question is of the meaning of written laws, he is not the interpreter of them that writeth a commentary upon them. For commentaries are commonly more subject to cavil than the text, and therefore need other commentaries; and so there will be no end of such interpretations.[2]

Thus the footing which the factions have found in various interpretations of the moral and the civil law is swept away, and the sovereign stands triumphant. But there remains one other hope for the adversaries of absolutism. What if they could oppose to the sovereign a directly revealed command of God? Such a command, Hobbes readily admits, must supersede all human authority. But could the knowledge of such a command be independent of human judgment? If all men, in the presence of one another, received an identical manifestation of God's will, that would be conclusive. But when some one man or body of men comes forward claiming to have received privately a revelation from God, how shall other men be satisfied of its authenticity? Hobbes can find no adequate answer to this question, and his solution of the whole problem is reached on the same lines that have been followed in connection with the law of nature and the civil law.

> In all things not contrary to the moral law, that is to say, to the law of nature, all subjects are bound to obey that for divine law which is declared to be so by the laws of the commonwealth.

And the reason of this is simple.

[1] Leviathan, p. 128. [2] *Ibid.*, p. 129.

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If men were at liberty to take for God's commandments their own dreams and fancies, or the dreams and fancies of private men, scarce two men would agree upon what is God's commandment; and yet in respect of them, every man would despise the commandments of the commonwealth.[1]

With logic like this there is no possibility of such confusion as we have seen in Bodin over the relation of the sovereign to the *leges divinae, naturae et gentium*.[2] Hobbes does indeed declare in various passages that the sovereign is bound by the law of nature; but his precise analysis of the source and character of this law leaves no room for the delusion that the sovereign's obligation is at all of the same type as that of the subject. The latter is bound under the terms of the original contract; but this contract is most carefully framed by Hobbes so as to exclude the sovereign from any share in it.[3] Thus, while the keeping of contracts is a precept of the law of nature that affects the subjects, it has no application, so far as they are concerned, to the sovereign. Again, Hobbes scoffs at the classification of forms of state according to the relation of the sovereign to the laws of nature.[4] Three forms, and three only, are logical. The others are merely the expressions of individual feeling.

They that are discontented under monarchy call it tyranny; and they that are displeased with aristocracy call it oligarchy; so also they which find themselves grieved under a democracy call it anarchy, which signifies want of government. And yet I think no man believes that want of government is any new kind of government; nor by the same reason ought they to believe that the government is of one kind when they like it, and another when they dislike it, or are oppressed by the governers.[5]

There is obviously no room in Hobbes's thought for any conception like Bodin's *leges imperii*.[6] Nor has the Englishman any such respect for private property as is displayed by

[1] Leviathan, p. 133.

[2] "The law of nations and the law of nature is the same thing." Leviathan, p. 161.

[3] Leviathan, p. 85.

[4] *Ante*, p. 95.

[5] Leviathan, p. 90.

[6] *Ante*, p. 96.

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the French writer. To sovereignty pertains "the whole power of prescribing the rules whereby every man may know what goods he may enjoy . . . without being molested by any of his fellow subjects; and this is it men call 'propriety.'"[1] It is a doctrine that tends to the dissolution of a commonwealth, "that every private man has an absolute propriety in his goods, such as excludeth the sovereign." What property a man holds, he has only from the sovereign.[2] On the other hand Hobbes agrees substantially with Bodin in respect to the relation of custom to law,[3] and in the distinction between the sovereign and the administrative system, or government.

V.

From the standpoint of pure speculation, it is impossible to deny that Hobbes's doctrine is more complete and perfect than that of Bodin. Where the latter, with the caution of the philosophic statesman, hesitated, the former, with the indifference of the exact mathematician, followed the path of his reasoning to the end. The student of history and law is not apt to be as confident as the devotee of the physical sciences, in regard to the availability of abstract formulas for solving political problems. The hostility aroused by the ethical[4] and

[1] Leviathan, p. 87.

[2] "Where there is no commonwealth there is . . . a perpetual war of every man against his neighbor; and therefore everything is his that getteth it and keepeth it by force; which is neither propriety nor community, but uncertainty." Leviathan, p. 116.

[3] While Bodin, as stated above, looks upon custom as lacking the character of law until the sovereign signifies positively his will in respect to it, Hobbes regards the silence of the sovereign as expressing his will. "When long use obtaineth the authority of a law, it is not the length of time that maketh the authority, but the will of the sovereign signified by his silence." Leviathan, p. 124.

[4] It must be pointed out, however, that in one important instance criticism of Hobbes is generally unfair. He is censured greatly for holding that no law, *i.e.*, expression of the will of the sovereign, can be unjust. He does, no doubt, say precisely that. But he has so defined justice as to include under the term only part of the idea usually connoted thereby. Justice, he says, is only the keeping of promises; and the original contract involved a promise of submission to the sovereign. Disobedience, therefore, is unjust. But this sense of justice involves only what is

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religious doctrines of Hobbes obscured for a century the value of much that he wrote. Bodin, on the other hand, had great vogue for a time, though his rational and juristic absolutism was ill adapted to the appetite of the age which feasted on the emotional and divine-right doctrine of Bossuet. It was Montesquieu's great work that brought French thought back into the methods of Bodin, while Rousseau introduced the method of Hobbes. But the divergence of the later pair of writers was much greater than that of the earlier. The whole effect of Montesquieu's work was to emphasize those elements in social and political life which are most independent of human volition, and hence to minimize the significance, if not to exclude the conception, of absolute sovereignty. Rousseau, on the contrary, intensified, if possible, the absoluteness of the sovereign human will as conceived by Hobbes, and made it the sole basis of his democracy.

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known as commutative justice. Distributive justice is defined by Hobbes under another name, equity. And the whole criticism falls when Hobbes admits that the sovereign, while he cannot commit injustice, can commit iniquity. Leviathan, p. 86.

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GRAUNT OR PETTY?

THE AUTHORSHIP OF THE *OBSERVATIONS UPON THE BILLS OF MORTALITY.*

THIS article proceeds upon the assumption that the *Natural and Political Observations made upon the Bills of Mortality*, which were published at London in 1662 over the name of John Graunt,[1] occupy by merit and priority[2] a place in the history of statistics which justifies careful examination of the available evidence bearing on the question whether they were in fact composed by Graunt, or, as is sometimes said, by his friend, Sir William Petty. The question has, indeed, already received the attention of Dr. John Campbell,[3] of McCulloch,[4] of Roscher,[5] of De Morgan,[6] of John[7] and of Cunningham;[8] and all of them have agreed that the *Observations* were written, as they purport to be, by Graunt, and not by Petty. In spite, therefore, of Macaulay's dictum[9] and of Mr. W. B. Hodge's strong argument for Petty,[10] the weight of authority might seem to have settled the dispute in Graunt's favor. But Dr. Bevan, in his recent monograph on Petty,[11]

[1] The full title runs as follows: Natural and Political Observations mentioned in a following Index and made upon the Bills of Mortality by John Graunt, Citizen of London; with reference to the Government, Religion, Trade, Growth, Ayre, Diseases and the several Changes of the said City.

[2] Süssmilch's Die göttliche Ordnung in den Veränderungen des menschlichen Geschlechts appeared in 1741.

[3] Biographia Britannica (1757), IV, 2262–2263, note.

[4] Literature of Political Economy (1845), 271.

[5] Zur Geschichte der englischen Volkswirthschaftslehre im 16. und 17. Jahrh. Abh. d. k. sächs. Ges. d. Wiss., Bd. iii (1857), s. 73, note.

[6] *Assurance Magazine*, VIII (1859), 166, 167; Budget of Paradoxes (1872), 68, 69.

[7] Geschichte der Statistik (1884), 170.

[8] Growth of English Industry and Commerce in Modern Times (1892), 247, note.

[9] History of England (1868), I, 219, note.

[10] *Assurance Magazine*, VIII, 94, 234–237.

[11] Bevan, Sir William Petty, Publications of the Amer. Econ. Assoc., vol. ix (1894), no. 4.

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has reopened the question, and has given his voice against the opinion hitherto received. In his view, though the weight of authority may be for Graunt, the preponderance of evidence is for Petty; and he certainly adduces testimony calculated, on its face, to shake a reader's faith in the traditional Graunt theory.[1] To me, however, the older opinion that Graunt wrote the book, though never based, perhaps, upon a consideration of all the pertinent facts, seems nevertheless correct. The whole question will, at any rate, bear reëxamination.

In order to understand the relations of Graunt and of Petty to the *Observations*, it is necessary to review the salient facts of their lives down to January, 1662, when the book was published. John Graunt was born April 24, 1620, the son of Henry Graunt, a Hampshire man,[2] but a citizen of London,[3] who carried on the business of a draper at the sign of the seven stars in Birchen Lane. He was educated while a boy in English learning, says Wood, and bound apprentice to a haberdasher of small wares, which trade he mostly followed, though free of the Draper's Company. Probably he succeeded to his father's place of business, as the epistle dedicatory of the *Observations*, which is signed by John Graunt, is dated Birchen Lane, 25 January, 166½. He passed through the various offices in the government of the City of London as far as common-councilman, holding that office two years, and was captain and major of the trained band. Apparently he was a person of some influence, as he was able to procure for his impecunious friend, Dr. William Petty, an appointment as professor of music in Gresham College, February 7, 1651.[4] It

[1] Even Lord Edmond Fitzmaurice, though he shows, in general, no inclination to claim overmuch for his ancestor, is so far influenced by Dr. Bevan's argument as to write: "Whatever the explanation may be, a reasonable view probably is that it was a true instance of joint authorship." Life of Sir William Petty. London, Murray, 1895. *Cf.* p. 180. The MS. of the present paper was in the hands of the editors of the POLITICAL SCIENCE QUARTERLY before the publication of Lord Fitzmaurice's Life. That work has thrown new light on many episodes of Petty's career, but it has necessitated no change of importance in the conclusions herein previously reached.

[2] Wood, Athenæ Oxon. (1721), I, 311.

[3] Parish Register 5 of St. Michael, Cornhill (Harleian Soc., 1882), 33.

[4] Ward, Lives of the Professors of Gresham College (1740), 218.

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does not appear, however, that Graunt was, before 1662, associated in any intimate way with the group of investigators, many of them connected with Gresham College, who afterwards became the Royal Society. That he was wealthy and a man of position in his world, is further plainly indicated by the references to him in Pepys's *Diary*.[1]

William Petty was born May 26, 1623, the son of Anthony Petty, a poor clothier of Romsey in Hampshire.[2] In 1643 he went to the Continent, studying medicine at Utrecht, Leyden, Amsterdam and Paris. By the year 1647 he had returned to London, and in 1648 he removed to Oxford, where, on the first day of January, 1651, he was made professor of anatomy. On the 7th of February of the same year he received the professorship of music already noted. He was furthermore one of the group of scholars out of whose frequent meetings for the discussion of various questions in natural science, grew finally the Royal Society.

Meanwhile he had been appointed physician to the army in Ireland, where he arrived September 10, 1652.[3] Here he had opportunity to observe that the survey of the lands forfeited by the Irish rebels, and intended for paying Cromwell's soldiers, "was most unsufficiently and absurdly managed."[4] He accordingly offered to make a better survey. His offer was accepted and a contract signed December 25, 1654.[5] Petty delivered the completed results of his survey in March, 1656; but its accuracy was disputed by the surveyor who had preceded him, and much difficulty arose in the settlement of the accounts. Affairs were further complicated by the dissatisfaction of the "adventurers" in London — persons who had advanced the money for the support of the Protestants in

[1] Jan. 2, 1662; Jan. 23, April 20 and July 31, 1663; and April 26, 1668. Abundantly confirmed by Fitzmaurice, pp. 180, 232.

[2] Aubrey's Lives, in Walker and Bliss' Letters written by Eminent Persons (1813), III, 481.

[3] See his will; often printed, most accessibly in Fitzmaurice's Life, 318–324.

[4] *Ibid.*

[5] *Cf.* p. 29 of Petty's History of the Cromwellian Survey of Ireland, edited for the Irish Archæological Society by T. A. Larcom in 1851.

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Ireland — with the lands allotted to them in payment. Accordingly, on May 7, 1658, Petty, who had meanwhile become a commissioner for distributing the forfeited lands, clerk of the council in Ireland, and the confidential friend and secretary of the viceroy, Henry Cromwell, was dispatched to London to adjust matters. While he was thus engaged, charges of dishonesty in connection with the survey and of corrupt speculation in lands were brought against him in Dublin. At the end of December, 1658, he returned and confronted his accusers. But before the matter could be settled at Dublin, Sir Jerome Sanchy brought in the House of Commons at London similar accusations against Petty, newly elected a member; and he was summoned by the speaker, March 26, 1659, to appear and answer. He reached London April 17, and defended himself in the House of Commons on the twenty-first. Parliament being dissolved the next day, nothing came of Sanchy's charges, and in May Petty returned to Dublin. Thence he was redispatched to England June 16, 1659, as the bearer of Henry Cromwell's letter of acquiescence in the overthrow of the Protectorate. On the twelfth of July, 1659, Sanchy renewed the charges against Petty before the Rump Parliament, which referred them back to the authorities in Ireland. Petty accordingly made another journey to Dublin. Nothing, however, came of the charges there. So he returned once more to London and set diligently at work to defend himself at the bar of public opinion, writing in self-vindication no less than five books.[1]

[1] Two of these were published at the time, and one since. The first is a pamphlet entitled: "Brief of Proceedings between Sir Jerome Sanchy and the Author. By W. Petty." This was printed in 1659, and brought the contest down to July 13. The second, written after October, 1659, is his elaborate History of the Cromwellian Survey, first published in a quarto volume of 426 pages, in 1851. The third is the octavo volume: "Reflections upon some persons and Things in Ireland, by letters to and from Dr. Petty. London, printed for John Martin, *etc.*" 1660. This was apparently the last written of the five, for in it Petty mentions not only the Brief and the History, but also the other books: "I have also written (as I just now told you) a profest Answer to Sir Hieromes Eleven last and greatest Articles, containing the proofs of what is herein but barely alledged, which I may not publish until after my tryal. [He then mentions the "History,"

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Although he had been a favorite of Henry Cromwell, Petty managed to secure royal favor also at the time of the Restoration. He was appointed by Charles II one of the commissioners of claims relating to Irish estates, and was knighted April 11, 1661.[1] He also took an active part in the meetings of the Royal Society,[2] and was a charter member of its council. On November 27, 1661, he presented to the Society a paper "Of making Cloth with Sheep's Wool,"[3] and on the seventh of the following May his "Apparatus to the History of Common Practices of Dying."[4] In the same year, 1662, there was published his (anonymous) *Treatise of Taxes and Contributions*, which twice cites the *Observations*. Petty thus appears to have been a universal genius; and in his later years he busied himself with writings of a statistical nature, resembling in general character the work whose authorship is under discussion.

Such are the significant facts in the lives of the two friends who may be regarded as rival claimants for the honor of having written the *Observations*. The work purports on its face to be by Graunt. The supporters of Petty attempt to establish his authorship by arguments which may be arranged in three groups: First, those based on the direct testimony of persons who knew Petty, or were his contemporaries; second, internal evidence; third, corroborative probabilities. The supporters of Graunt meet these arguments with counter-arguments of like character. I shall therefore take up the three groups of arguments and counter-arguments successively; and, since the burden of proof appears to rest upon the advocates of Petty, I shall allow them the first hearing.

and continues:] There is another piece of a quite contrary nature, being a Satyre; which though it contain little of seriousness, yet doth it allow nothing of untruth" (pp. 60, 61).

[1] Le Neve's Pedigrees of Knights (Harleian Society, 1873), 133.

[2] Birch, History of the Royal Society (1756), I, 7, 19, 41, 55–65, 83, 88, 90, *etc.*

[3] Printed in Birch, I, 55–65.

[4] Printed in Sprat's History of the Royal Society (1667), 284–306.

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I.

The direct testimony to Petty's authorship is given by four writers. Of these the first, chronologically, is John Evelyn. In his diary, under date of March 22, 1675, Evelyn writes :

> Supp'd at S^r^ William Petty's with the Bp. of Salisbury and divers honorable persons. We had a noble entertainment in a house gloriously furnish'd; the master and mistress of it were extraordinary persons. [He then recounts briefly and not very accurately the main facts in Petty's life, adding such anecdotes of his career as show that they had been long acquainted. He describes and praises Petty at length and with great enthusiasm, concluding with the words:] He is the author of the ingenious deductions from the bills of mortality, which go under the name of Mr. Graunt; also of that useful discourse of the manufacture of wool, and several others in the register of the Royal Society. He was also author of that paraphrase on the 104th Psalm in Latin verse, which goes about in MS. and is inimitable. In a word, there is nothing impenetrable to him.

The next witness for Petty — and also against him — is his intimate friend, John Aubrey, the antiquary. Aubrey assisted Anthony à-Wood in the compilation of his *Athenæ Oxonienses* by furnishing him a number of "minutes of lives."[1] From his letters to Wood concerning the Lives,[2] it appears that Aubrey wrote his sketch of Petty in February, 1680, and that shortly before March 27, "Sir W. P. perused my copie all over & would have all stand." In spite, however, of his own care and of Petty's revision, Aubrey's account of the authorship of the *Observations* is not self-consistent. In the early part of the "Life," as printed, he says[3] that Petty "was about 1650 elected Professor of Musique at Gresham Colledge, by the interest of his friend Captaine John Graunt (who wrote the

[1] Printed, nearly entire, in vol. iii of "Letters written by Eminent Persons in the Seventeenth and Eighteenth Centuries; to which are added Lives of Eminent Men by John Aubrey. Now first published [by J. Walker and J. P. Bliss]. London: 1813."

[2] Ballard MS., XIV, ff. 126–132, Bodleian Library.

[3] Letters, *etc.*, p. 483.

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observations on the Bills of Mortality), and that time was worth but fourtie pounds in all the world." Quite near the end of the "Life," on the other hand, he inserts into a list[1] of Petty's writings the words: "Observations on the Bills of Mortality were really his."

The third witness for Petty is Edmund Halley. As Halley was a much younger man than Graunt or Petty and did not become a fellow of the Royal Society until 1678, his testimony is rather less important than that of Evelyn or Aubrey. He begins his "Estimate of the Degrees of the Mortality of Mankind"[2] with the words:

> The contemplation of the mortality of mankind has, besides the moral, its physical and political uses, both which have some time since been most judiciously considered by the curious Sir William Petty, in his moral and political Observations upon the Bills of Mortality of London, owned by Captain John Graunt. And since in a like treatise on the Bills of Mortality of Dublin. . . . But the deductions from those bills of mortality seemed even to their authors [*sic*] to be defective.

The fourth witness for Petty is Bishop Burnet (1643–1715). His allusion to the *Observations* is casual. In the first volume of his *History of his own Times*, published in 1723, but probably written before 1705, he makes the charge[3] that Graunt, being a member of the New River Company, stopped the pipes at Islington the night before the London fire, Sep-

[1] Letters, *etc.*, vol. iii, p. 488. Neither Lord Fitzmaurice nor Dr. Bevan affords help here. Indeed neither, as far as I can discover, so much as mentions Aubrey's first statement. My hope that examination of the original "minutes" in the Bodleian Library (Aubrey MSS., VI, ff. 12–15) might clear up the difficulty has not been fulfilled. It is evident enough that the last paragraph of the printed "minute" on Petty — "Since his death [1687] I have seen in his closet a great many tractatiunculi," *etc.* — was added to the MS. by another hand than Aubrey's, probably by Wood's. But both the statements quoted above seem to be in Aubrey's hand, and so far as I can judge, they were written about the same time.

[2] Philosophical Transactions, no. 196 (1693), p. 596.

[3] Vol. i, p. 231; cited from the Oxford edition of 1833, vol. i, p. 423. The charge against Graunt was thoroughly disproved by Bevil Higgins in his Historical and Critical Remarks on Bishop Burnet's History of his own Times (1725), 149, *apud* Burnet, 424, note; and by Maitland, History of London, new ed. (1775), I, 435.

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tember 2, 1666. Burnett's account of this alleged occurrence begins: "There was one Graunt, a papist,[1] under whose name Sir William Petty published his observations on the bills of mortality."

Such is the direct testimony for Petty. The direct testimony in favor of Graunt comes from five sources. First, from the work whose authorship is in issue. Four editions of the *Observations* published during his lifetime and one published by Petty after Graunt's death, all bear on their title-pages Graunt's name as author. Second, Petty's own testimony in his books and in his private correspondence. In his acknowledged writings he mentions the *Observations* at least sixteen times.[2] The dates of these references are as follows: The "Treatise of Taxes and Contributions," 1662, cites the *Observations* twice, without mentioning Graunt's name at all. The "Discourse concerning the Use of Duplicate Proportion," 1674, justifies its double dedication by the example of "Graunt's" *Observations*. The *Observations upon the Dublin Bills* and the various *Essays in Political Arithmetick*, 1682–1687, cite the original *Observations* eleven times, six times with Graunt's name, and five times without. In the remaining case, the *Political Arithmetick*, as printed in 1690, makes Petty speak of "the observators upon the bills of mortality."[3] Since the *Political Arithmetick* was written in 1676, *i.e.*, before Petty's own *Observations upon the Dublin Bills*, this expression might be construed as a claim by Petty to a share in the authorship of the *Observations* of 1662. But reference to a manuscript of the *Political Arithmetick* in the Bodleian Library, bearing Petty's autograph corrections, shows conclusively that he here intended to set up no such claim.[4]

[1] *Cf.* page 116, *infra*.

[2] At pages 11, 32, 102, 104, 131, 133, 134, 136, 174 (twice), 182, 183, 184, 193 and 270 of his works, entitled Tracts chiefly relating to Ireland, edition of 1769; and in the Discourse of Duplicate Proportion, not included in that edition.

[3] Edition of 1690, p. 97.

[4] Rawlinson MS., D. 25, f. 23a. The amanuensis wrote "observators," but Petty doubly corrected the word to "Observator." The like change apparently was not made in the MS. sent to press in 1690.

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Moreover, in a private letter to his most intimate friend and relative, Sir Robert Southwell (August 20, 1681), Petty twice speaks of "Graunt's" and once of "our friend Graunt's" book.[1]

In connection with Petty's direct testimony on the question, it should be further noted that the title-page of his first published statistical pamphlet runs: "Observations upon the Dublin Bills of Mortality MDCLXXXI and the State of that City. By the Observator on the London Bills of Mortality. London: Printed for Mark Pardoe . . . 1683." This is, I believe, the only independent issue of the Dublin *Observations*, and its title may have been made up by Petty's friend Mark Pardoe, and not by Petty himself. At any rate, when in 1686 Pardoe reissued the same sheets, with additions, under the title of *Further Observations on the Dublin Bills*, Petty's name appears on the title-page, without any mention of the London *Observations*. Nor did the change occur here alone. In the first (1683) edition of "Another Essay in Political Arithmetick. By Sir William Petty," the original Dublin *Observations* are advertised as "by the Observator on the London Bills of Mortality." In the second edition of the Essay, published in 1686, but before the *Further Observations*, the advertisement of the original Dublin *Observations* reads: "By Sir William Petty."

Contemporary testimony in favor of Graunt comes, thirdly, from the Royal Society, and from various members of it. At a meeting of the society on February 5, 1662,

> Dr. Whistler brought in a book, intituled, Natural and Political Observations upon the Bills of Mortality, by John Graunt, Citizen of London, printed at London in 1662, in 4to; and the doctor read the epistle dedicatory, addressed to Sir Robert Moray, the president, by the author who sent fifty copies of the book to be distributed among the members of the society; for which thanks were ordered to be returned to him, and he was proposed a candidate.[2]

At the next meeting, February 12, a committee of six was appointed "to examine Mr. Graunt's Observations upon the

[1] Rawlinson MS., A 178, ff. 71–72, Bodleian Library.
[2] Birch, vol. i, p. 75.

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Bills of Mortality." Their report is not preserved by Birch, but it must have been favorable, for Graunt was elected a member on the 26th of February, and he subscribed his name at the following meeting of the society, March 6.[1] More than three years later, when the plague was approaching London, the society reiterated its opinion, in the words:

> Tuesday, June 20, 1665. At a meeting of the Council of the Royal Society. Ordered, that the Observations upon the Bills of Mortality by Mr. John Graunt be printed by John Martyn and James Allestry, printers to the Royal Society.[2]

The testimony of the Royal Society is confirmed by its secretary, Oldenburg, who during the plague wrote from London to Boyle, under the date of September 18, 1665:

> Though we had some abatement in our last week's bill, yet we are much afraid it will run as high this week as ever. Mr. Graunt, in his appendix to his Observations upon those bills (now reprinted) takes notice, that forasmuch as the people of London have, from Anno 1625 to this time, increased from eight to thirteen, so the mortality shall not exceed that of 1625, except the burials should exceed 8400 per week.[3]

Further confirmation is found in the work of the Society's first historian, Bishop Sprat. Its members, Sprat says, are free from pedantry and prejudice;

> and that they are likely to continue in this comprehensive temper hereafter, I will shew by one instance: and it is the recommendation which the King himself was pleased to make of the judicious author of the Observations on the Bills of Mortality: In whose election it was so far from being a prejudice that he was a shop-keeper of London; that His Majesty gave this particular charge to His Society, that if they found any more such tradesmen, they should be sure to admit them all, without any more ado.[4]

The testimony of the two remaining witnesses for Graunt has not, I believe, been presented upon any previous trial of

[1] Birch, vol. i, pp. 76, 77.
[2] Notice printed in 3d, 4th and 5th editions of the Observations.
[3] Boyle's Works (1744), V, 335.
[4] Sprat, History of the Royal Society (1667), p. 67.

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this case. The first is John Bell, author of *London's Remembrancer*.[1] Bell's book, issued just after the great plague of 1665, was intended to rectify "the many and gross mistakes which have been imposed upon the World, by divers Ignorant Scribblers about the weekly Accompts of former Visitations." He explains and defends the manner in which the bills of mortality were prepared by the Company of Parish Clerks, and proceeds:

> I think I need not trouble myself herein [*i.e.*, in describing the form of the bills], since that worthy and ingenious Gentleman, Captain John Graunt, in his Book of Natural and Political Observations on the Bills of Mortality, hath already so well described them.

Now the author of the *Observations* asserts[2] that he visited the hall of the Parish Clerks, and used their records in the preparation of his book. Bell, therefore, who was in charge of the Clerks' register, could scarcely have been deceived as to the identity of the author.

The other new witness for Graunt is Sir Peter Pett. Pett was born, probably, in 1627. He was at Oxford while Petty was there; he was a charter member of the Royal Society; he was certainly acquainted with Petty, and probably with Graunt.[3] In 1688 he published a folio volume designed to vindicate the Earl of Anglesey from the charge of being a Roman Catholic.[4] This gigantic pamphlet discusses many matters not germane to the charge against Anglesey, and among them England's growth in population. In the course of the discussion Pett alludes three times to the *Observations* without mentioning the name of either Petty or Graunt:

[1] London's Remembrancer: or, A True Account of every particular Week's Christnings and Mortality. . . . Taken out of the Register of the Company of Parish Clerks of London . . . by John Bell, Clerk to the said Company. London: E. Cotes, 1665, 4°.

[2] Edition of 1676, Preface.

[3] Fitzmaurice's Life, pp. 248–250, makes it evident that Sir William and Sir Peter were intimately acquainted.

[4] The Happy Future State of England; or, A discourse by Way of Letter to the Late Earl of Anglesey. London: printed MDCLXXXVIII. *Anon.*

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If any of our monkish historians . . . had given the world rational estimates of the numbers of . . . the males then between the ages of 16 and 60 [from the military returns] . . . we might now easily by the help of what we have from the Observator on the Bills of Mortality conclude, what the entire number of the people then was. [Page 91.]

'T is very remarkable that in the Code Louys which he [Louis XIV] published in April, 1667, he made some ordinances with great care for the registring the christenings and marriages and burials, in each Parish . . . having perhaps been informed by his ministers that many political inferences, as to knowing the number of people and their encrease in any state, are to be made from the bills of mortality, on the occasion of some such published about 3 years before by the Observator on the Bills of Mortality in England. [Page 249.]

It must be acknowledged that the thanks of the age are due to the Observator on the Bills of Mortality for those solid and rational calculations he hath brought to light, relating to the numbers of our people: but such is the modesty of that excellent author that I have often heard him wish that a thing of so great publick importance to be certainly known, might be so by an actual numbering of them. . . . Mr. James Howel . . . saith, that in the year 1636 . . . the Lord Mayor of London . . . took occasion to make a cense of all the people and that there were of men, women and children, above 7 hundred thousand that lived within the barrs of his jurisdiction alone . . . and . . . more now. . . . But I am to suspect that there was no such return in the year 1636 . . . and do suppose that Mr. Howel did in that point mistake . . . partly because I find it mentioned by the curious Observator on the Bills of Mortality, p. 113 and 114 [of the 1676 ed.] that anno 1631, ann. 7 Caroli I. the number of men, women and children in the several wards of London and liberties . . . came in all to but 130178, and finally because the said curious Observator (for that name I give the author after My Lord Chief Justice Hales [*sic*] hath given or adjudged it to him in his Origination of Mankind) having by rational calculations proved that there dyes within the Bills of Mortality a thirtieth part, or one in thirty yearly, and that there dies there 22000 per annum . . . If there were there according to Howel a million and a half people, it would follow that there must dye but 1 out of 70 per annum. [Pages 112–113.]

In these passages from Pett two peculiarities need to be explained. The first is the omission of Petty's name. If Pett

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regarded Petty as the author of the *Observations*, why should he consistently omit to mention him here as "Sir W. P." — a form of reference which he repeatedly uses when speaking elsewhere of Petty's other works?[1] The second fact to be explained is Pett's manifest desire to avoid mentioning by name "that excellent author," "the most curious Observator." It certainly is not by chance that Pett, whose laborious book is a medley of duly credited extracts from almost all English and classical literature, instead of mentioning the author of the *Observations*, here carefully took refuge behind a quotation — or rather a misquotation[2] — from Sir Matthew Hale. I believe that Pett's peculiar course at this point can be best explained on the assumption that he considered Graunt the author of the work. He was attempting, at a time when Oates' absurd stories of the popish plot were still heartily believed, to vindicate Anglesey from the charge of leaning towards Roman Catholicism. He was therefore careful not to betray any sympathy with the Romanists. Now according to Wood, when Graunt had been a major two or three years, he

> then laid down his trade and all public employments upon account of religion. For though he was puritanically bred, and had several years taken sermon-notes by his most dextrous and incomparable faculty in short-writings and afterwards did profess himself for some time a Socinian, yet in his later days he turned Roman Catholic, in which persuasion he zealously lived for some time, and died.[3]

May not this explain Pett's obvious unwillingness to praise the author of the *Observations*, Graunt, by name? Pett does not afford demonstration, but he furnishes corroboration.

[1] Pp. 92, 106, 122 192, 193, 245, and p. 1 of the preface.

[2] Hale's Primitive Origination of Mankind considered and examined according to the Light of Nature, published in 1677, the year after his death, was probably written before 1670. The passages (pp. 205, 206) which allude, with warm praise, to the Observations, do not, so far as I can see, give or adjudge the name of Observator to the author at all. Hale quotes the title of "this little book," but makes no mention of its author.

[3] Concerning the disadvantages to which Graunt was subjected on account of his faith, and concerning the misfortunes of his later years, Fitzmaurice's Life of Petty (pp. 232–235) gives new details.

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II.

The second group of arguments includes all those, whether advanced by supporters of Petty or of Graunt, which appeal to internal evidence. Here, again, the supporters of Petty shall speak first. They point out many and striking similarities between passages in the *Observations* and parts of Petty's acknowledged writings published at the same time, or soon after. These similarities constitute, in the opinion of Dr. Bevan,[1] "an effective way of testing" this question of authorship. In view of the inaccessibility of the books, and the importance of the test, I will here reprint all the obvious and important passages discovered by previous writers, together with a few parallels which I have myself chanced upon. They are a formidable array.

OBSERVATIONS (1676 ed.).

PAGES 27, 28: The vast number of *Beggars*, swarming up and down this City, do all live, and seem to be most of them healthy and strong; whereupon I make this question, Whether, since they do all live by begging, that is, without any kind of labour; it were not better for the State to keep them, even though they earned nothing? that so they might live regularly. . . . Some may Object, That *Beggars* are now maintained by voluntary Contributions, whereas in the other way the same must be done by general Tax; and consequently, the Objects of Charity would be removed and taken away. To which we Answer, That in *Holland*, although no where fewer

TREATISE (1662 ed.).

PAGE 12: When all helpless and impotent Persons were thus provided for [in "Receptacles for the aged, blinde, lame &c. in health; Hospitals for . . . Diseases . . . Orphans . . . found and exposed Children"], and the lazy and thievish restrained by the Minister of Justice, it follows now, that we finde out certain constant Employments for all other indigent people, who labouring according to the Rules upon them, may require a sufficiency of food and raiment. . . . It will be asked, who shall pay these men? I answer, every body.

PAGE 13: Now as to the work of these supernumeraries, let it be with out expence of Foreign Commodities, and then 'tis no

[1] Bevan's Petty, p. 44.

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Beggars appear to charm up commiseration in the credulous, yet no where is there greater or more frequent Charity: only indeed the Magistrate is both the *Beggar*, and the *Disposer* of what is got by *begging*.

PAGES 69, 70: In *Popish* Countries, where *Polygamy* is forbidden, if a greater number of *Males* oblige themselves to *Cælibate*, than the natural over-plus, or difference between them and *Females* amounts to; then multiplication is hindered . . . . [This is undesirable] forasmuch as Princes are not only Powerful, but Rich, according to the number of their People (Hands being the Father, as lands are the Mother and Womb of Wealth).

EPISTLE TO LORD ROBERTS: The *Trade*, and very *City of London*, removes Westward.

PAGE 75: The City of *London* gradually moves *Westward*, and did not the *Royal Exchange* and *London-Bridg* stay the Trade, it would remove much faster. . . . The reasons whereof are . . . Thirdly, where the *Consumption* of a Commodity is, *viz.* among matter if it be employed to build a useless Pyramid upon *Salisbury Plain*, . . . or the like; for at worst this would keep their mindes to discipline and obedience, and their bodies to patience of more profitable labours.

PAGE 63: Sometimes the State is common Beggar, as 'tis almost in *Holland*, where particular Charity seems only to serve for the relief of concealed wants . . . and not so much to relieve any wants that are declared, and already publickly known.

PAGE 8: I might also say, that forasmuch as there be more Males then Females in *England*, (the said difference *pro tanto* hindering procreation) that it were good for the Ministers to return to their Cælibat.

PAGE 49: We are now to remember in consequence of our opinion, (That Labour is the Father and active principle of Wealth, as Lands are the Mother) that the State by killing . . . their members, do withall punish themselves.

PAGE 23: Now if great Cities are naturally apt to remove their Seats, I ask which way? I say, in the case of *London*, it must be Westward, because the Windes blowing near ¾ of the Year from the West, the dwellings of the West end are so much the more free from the fumes, steams, and stinks of the whole Easterly Pyle;

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the Gentry, the Venders of the same must seat themselves.

PAGE 78: We incline therefore to think the Parishes should be equal, or near, because, in the *Reformed Religions*, the principal use of *Churches* is to Preach in.

PAGE 98: The Art of Governing and the true *Politicks*, is how to preserve the Subject in *Peace* and *Plenty*. . . . Now, the Foundation or Elements of this honest harmless *Policy* is to understand the Land, and the hands of the Territory, to be governed according to all their intrinsick and accidental differences: As for example; It were good to know the *Geometrical* Content, Figure, and Situation of all the Lands of a *Kingdom*, especially according to its most natural, permanent, and conspicuous Bounds. It were good to know how much Hay an Acre of every sort of Meadow will bear; how many Cattel the same weight of each sort of Hay will feed and fatten; what quantity of grain and other Commodities the same Acre will bear in one, three or seven years, *communibus Annis;* unto what use each soil is most proper. All which particulars I call the intrinsick value: for which where Seacole is burnt is a great matter. Now if it follows from hence, that the Pallaces of the greatest Men will remove Westward, it will also naturally follow, that the dwellings of others who depend upon them will creep after them.

PAGE 6: One cause of Publick Charge in Matters of Religion, is the not having changed the limits of Parishes and Cures with the Change of Religion from Popery.

PAGE 31: I propound a Survey of the Figures, Quantities and Situations of all the Lands both according to the civil bounds of Parishes, Farms, &c., and the natural distinctions thereof by the Sea, Rivers, ridges of Rocks, or Mountains, &c. I propound that the quality of each denomination were described by the Commodities it had usually born, in some Land, some sort of Timber, Grain, pulse or root growing more happily than in others: Also by the encrease of things sown or planted, which it hath yielded *communibus annis;* and withall, the comparative goodness of the said Commodities not unto the Standard money, but to one another. As for example; if there be ten acres of Land, I would have it judged whether they be better for Hay or Corn; if for Hay, whether the said ten Acres will bear more or less Hay then ten other Acres; and whether a hundred weight of the said Hay

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there is also another value merely accidental, or extrinsick, consisting of the Causes why a parcel of Land, lying near a good Market, may be worth double to another parcel, though of the same intrinsick goodness; which answers the Queries, why Lands in the *North* of *England* are worth but sixteen years purchase, and those of the *West* above eight and twenty. It is no less necessary to know how many People there be of each Sex, State, Age, Religion, Trade, Rank, or Degree, *&c.* by the knowledge whereof, Trade and Government may be made more certain and Regular; for if men knew the People, as aforesaid, they might know the consumption they would make, so as Trade might not be hoped for where it is impossible. As for instance, I have heard much complaint, that Trade is not set in some of the *South-western* and *North-western* parts of *Ireland*, there being so many excellent Harbours for that purpose; whereas in several of those places I have also heard, that there are few other Inhabitants, but such as live *ex sponte creatis*, and are unfit Subjects of Trade, as neither employing others, nor working themselves.

Moreover, if all these things were clearly and truly known (which I have but ghessed at) it would appear, how small a part will feed or fatten more or less, then the same weight of other Hay. . . . This former I call a Survey or Inquisition into the intrinsick values of land, this latter of extrinsick or accidentall follows. . . . [Previously Petty had said, p. 30: "Lands intrinsickally alike near populous places . . . will not onely yield more Rent for these Reasons, but also more years purchase then in remote places." He now begins his calculation of the extrinsic value of lands by a discussion of the relative values of gold and silver, and of the same coin at different times, and then proceeds to explain how, by reckoning with the price of labor, the produce of different lands and the cost of working them, their rents can be ascertained, and concludes, page 34:] Against all this will be objected, that these computations are very hard if not impossible to make; to which I answer onely this, that they are so, especially if none will trouble their hands or heads to make them, or give authority for so doing: but withall, I say, that until this is done, Trade will be too conjectural a work for any man to employ his thoughts about.

[The remarks about Ireland can be paralleled without exception by passages, too long to quote, from Petty's *Political Anatomy of Ireland*, written about 1672.]

Page 16: If people be so few,

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of the People work upon necessary Labours and Callings, *viz.* how many Women and Children do just nothing, only learning to spend what others get; how many are meer Voluptuaries; and as it were meer Gamesters by Trade; how many live by puzling poor people with unintelligible Notions in Divinity and Philosophy; how many by perswading credulous, delicate, and litigious Persons, that their Bodies or Estates are out of Tune, and in danger; how many by fighting as Souldiers; how many by Ministries of Vice and Sin; how many by Trades of meer Pleasure or Ornaments; and how many in way of lazy attendance, *&c.* upon others: And on the other side, how few are employed in raising and working necessary Food and Covering; and of the speculative men, how few do study *Nature* and *Things!* The more ingenious not advancing much further than to write and speak wittily about these matters. as that they can live, *Ex sponte Creatis*, or with little labour, such as is Grazing, &c., they become wholly without Art.

PAGE 9: And moreover, if by accompt of the people, of their Land and other wealth, the number of Lawyers and Scriveners were adjusted, I cannot conceive how their should remain above one hundredth part of what now are.

REFLECTIONS (1660).

PAGE 139: I had rather learn and labour to get my own living, than by lying and loytering under the name of Preaching, to be a drone on other Mens.

POLITICAL ARITHMETIC (ed. 1690).[1]

PAGE 38: I say, if the Stock of these Men should be diminished by a Tax, and transferred to such as do nothing at all, but *eat* and *drink*, *sing*, *play*, and *dance;* nay to such as study the *Metaphysicks*, and other needless *Speculation* . . . the Wealth of the Publick will be diminished.

Not all of these parallels are of equal weight in our discussion. That on the westward movement of London is scarcely significant of a common authorship, John Evelyn having set the idea afloat in the preceding year.[2] In like manner the talk about equalizing the parishes was apparently a current commonplace. On the other hand, the remaining parallels, especially the last, are doubtless important.

In addition to these parallel passages, other similarities are pointed out. "The most noticeable thing in the first few

[1] Written *ca.* 1676.

[2] Evelyn's Fumifugium (1661), p. 16.

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pages of the 'Bills,'" says Dr. Bevan, "is the amount of space devoted to a description of different diseases. They are described with a familiarity and precision which only a physician could be expected to have."[1] Upon a layman the discussions, in chapters two and three, of the similarities between rickets and liver-growth, and between the green sickness, stopping of the stomach, mother, and rising of the lights, undoubtedly make a learned impression. Whether they were, in fact, the discussions of a learned or of an ignorant man, a specialist in the history of English medicine before Sydenham could probably say. But one need not be a medical antiquarian to see that, in the most elaborate of these discussions, the one concerning rickets and liver growth, and indeed, throughout all the discussions of this sort, the method of the writer of the *Observations* is distinctly statistical, is marked, indeed, by considerable statistical acuteness, and is scarcely at all diagnostic or pathological, as a physician's method, nowadays at any rate, would probably be. He enquires whether the same disease has been returned in different years under different rubrics; and he finds his answer by investigating the fluctuations from year to year in the number of deaths from each. Moreover, it is in the midst of these discussions of diseases that the variations in the number of those who died of rickets from year to year provokes this curious passage :

> Now, such back-startings seem to be universal in all things; for we do not only see in the progressive motion of wheels of *Watches*, and in the rowing of *Boats*, that there is a little starting or jerking backwards between every step forwards, but also (if I am not much deceived) there appeared the like in the motion of the *Moon*, which in the long *Telescopes* at *Gresham Colledge* one may sensibly discern. [Page 36.]

De Morgan points out[2] the improbability that "that excellent machinist, Sir William Petty, who passed his day among the astronomers," should attribute to the motion of the moon in

[1] Bevan's Petty, p. 46.

[2] Budget of Paradoxes (1872), 68; *Assurance Magazine*, VIII, 167.

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her orbit all the tremors which she gets from a shaky telescope.[1]

Other peculiarities of the *Observations* which are held by Dr. Bevan to indicate Petty's authorship are the "references to Ireland derived apparently from personal observation," and the fact that "Hampshire, Petty's native county, is the only English county mentioned."[2] The latter argument might have been made much stronger for Petty. The author of the *Observations* bases many of his most interesting conclusions upon a comparison between the tables of London mortality and the "Table of a Country Parish." This country table is unquestionably based upon the parish register of the Abbey of St. Mary and St. Athelfleda, at Romsey, the church in which Petty's baptism is recorded and in which he lies buried.[3] As for the two allusions to Ireland, on the other hand, they signify little or nothing. One of them is simply in connection with Graunt's belief (page 43), that deaths in child-bed are abnormally frequent "in these countries where women hinder the facility of their child-bearing by affected straightening of their bodies . . . what I have heard of the Irish women confirms me herein." The passage, it is obvious, no more indicates personal observation in Ireland than does the other,[4] where the writer says, "I have heard . . . I have also heard" this and that about Ireland.

Those who have agreed that Graunt was the author of the *Observations*, need not leave to their opponents the exclusive use of internal evidence. They, for their part, may first point

[1] Mr. Hodge replies: "The paragraph objected to stands unaltered in the fifth edition, edited by Petty, and the question naturally arises, how came he to publish as an editor that which, it is asserted, he must have known to be so grossly absurd that it is impossible he could have published it as a writer?" (*Assurance Magazine*, VIII, 235, 236.) This is ingenious, but fallacious. The fifth edition is a reprint, not a revision.

[2] Bevan's Petty, 46.

[3] This fact has, I believe, escaped observation hitherto. A comparison of the transcript from the Abbey register contained in vol. iii of Dr. John Latham's Collections for a History of Romsey (British Museum Addl. MS. 26776, f. 14) with Graunt's table leaves in my mind no doubt that the "market town" Graunt describes is, in fact, the old town on the Test.

[4] Quoted in full above, p. 120.

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out that there are considerable differences of language between Petty's works and Graunt's.[1] Every one at all familiar with seventeenth-century English pamphlets has sympathized with Sir Thomas Browne's solicitude lest "if elegancy still proceedeth, and English pens maintain that stream, which we have of late observed to flow from many, we shall within few years be fain to learn Latin to understand English." Petty's *Reflections* and his *Treatise of Taxes and Contributions* are about the same size as the *Observations*. I have run through all three and counted the Latin words, phrases and quotations, excluding those which, like *anno, per annum, per centum*, are virtually English. The *Reflections*, in the 154 pages which are indisputably by Petty,[2] contain at least twenty-four Latin phrases, the *Treatise* at least forty-two. The *Observations* show, aside from the sentiment on the title-page,[3] but five Latin phrases; and of the five, three are within as many pages of the "Conclusion" (pages 97–99), in precisely the passage which exhibits the most conspicuous of all the parallels between the *Observations* and the *Treatise*.[4]

The supporters of Graunt may properly claim, in the second place — and upon this they may insist, for it has not received adequate emphasis heretofore — that the statistical method of the *Observations* is greatly superior to the method of Petty's acknowledged writings upon similar subjects. Graunt exhibits a patience in investigation, a care in checking his results in every possible way, a reserve in making inferences, and a caution about mistaking calculation for enumeration, which do not characterize Petty's work to a like degree. To point out the differences in detail would require another paper as long as

[1] Dr. Bevan (p. 44) would dissent: "It is difficult to discover any great diversity in style, language, or in any other point between the 'Bills' and Petty's authentic writings."

[2] The letters ostensibly addressed to Petty were probably written by him, but, to be on the safe side, I excluded them. Fitzmaurice's Life of Petty also speaks (p. 92) of "the imaginary correspondent to whom the 'Reflections' are a reply."

[3] Non, me ut miretur turba, laboro, Contentus paucis lectoribus.

[4] Mr. Higgs has pointed out also (*Economic Journal*, no. 17, p. 72) that Graunt feared London was "too big," whereas Petty wished it still bigger.

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this. But they cannot escape any person of statistical training who may read carefully first the *Observations* and then Petty's *Essays*.

In the third place, it deserves to be noted that the chief parallels to Petty's writings do not occur in parts of the *Observations* which are vital or organic. In his patient investigations of the movement of London's population, imperfect and frequently erroneous though they were, and, for lack of data, necessarily must have been, the author of the *Observations* displays admirable traits for which Petty's writings, however meritorious otherwise, may still be searched in vain. The passages in which the parallels occur are, as it were, the embroideries with which Graunt's solid work is decorated — possibly by Petty's hand. For example, the passage concerning beggars and charity in Holland[1] is appended to the contention that, since "of the 229,250, which have died, we find not above fifty-one to have been starved, except helpless infants at nurse," therefore there can be no "want of food in the country, or of means to get it." The argument is statistical; the appended passage about beggars is not. It has no real connection, and if it were omitted, the argument proper would lose nothing of its cogency. The longest and closest parallel between the *Observations* and the *Treatise* is of like character. It occurs in and indeed pervades "The Conclusion."[2] And this conclusion, instead of offering, as one might expect, a sober summary in the style of the book itself,[3] is a manifest and, one must own, a not altogether unsuccessful attempt "to write wittily about these matters."

III.

The arguments of the third group — those based upon the probabilities of the case — should be considered as corrobora-

[1] Above, p. 118.

[2] Nearly two-thirds of the conclusion is quoted above, pp. 120–122.

[3] The stylistic similarity of the conclusion to Petty's writings, and its dissimilarity to the earlier parts of the Observations is noted by Mr. Hodge, *Assurance Magazine*, VIII, 235.

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tive, rather than as of independent weight. In advancing them the partisans of each writer must seek rather to strengthen a case already built up by direct testimony and internal evidence than to establish their contentions *de novo*.[1] In general, the probabilities strongly favor Graunt. In the first place, he was a citizen and a native of London. He thus had opportunity to collect the bills and incentive to study them; and the author's account of the way in which he came to make the study tallies with the known facts of Graunt's life in every particular. Petty, on the other hand, was a provincial by birth, and had been a resident of London but a short time when the *Observations* were published. In the second place, the *Observations* are not the product of a few leisure hours, or even of a few hurried weeks. Their laborious compilation demanded time — how much, those will best appreciate who have attempted similar tasks. Graunt may well have had the necessary leisure, whereas Petty, in defending his Irish survey, in writing for the Royal Society, and in working for political self-advancement at the Restoration, must have been otherwise well occupied during the years 1660 and 1661.[2] In the third place, the assumption that a man of Graunt's standing in the city would consent to be a screen for Petty's book, has never been put upon a sound basis, or indeed upon any basis at all. Finally it may be noted that the *Observations* contained nothing offensive;[3] they were not only novel, but popular, and it was by no means Petty's nature to refuse credit for a good thing he had done.[4] Nevertheless the *Observations* had been out

[1] McCulloch and Roscher take the contrary course.

[2] Cf. above, p. 108. Fitzmaurice's Life of Petty now gives (pp. 102–107) ample proof that political and business complications absorbed much of Petty's time in the months following the Restoration.

[3] Lord Shelborne, Petty's son, says in his dedication of the 1690 edition of the Political Arithmetick that, though written "long since," it was not published until after the Revolution, because the "doctrines of this essay offended France." It was, as a matter of fact, printed in 1683, but without Petty's name, and under the title: England's Guide to Industry.

[4] His "Treatise" was indeed published anonymously, but when it succeeded, its authorship soon became known. — *Cf.* the "Suppliment" to "Brief Observations concerning Trade and Interest of Money. By J[osiah] C[hild]. London, Printed for Elizabeth Calvert. 1668."

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almost fifteen years, had passed through four editions, and had received unusual honors at the hands of the Royal Society, and apparently of the king also, before there was a whisper of Petty's authorship.

Opposed to these probabilities in favor of Graunt stand two analogous arguments for Petty. One argument, Dr. Bevan advances: "We are not able to assign a reason for Petty's wish to conceal his authorship under the name of a friend, but we do know that several of his works were published anonymously during his lifetime."[1] It needs scarcely to be said that publishing a book anonymously is a different thing from publishing it under the name of somebody else — and that somebody a well-known man. The other argument is put by Mr. Hodge in these words:

> If I were disposed to argue the matter upon probabilities, I might ask what other proof Graunt gave of his capacity for writing such a work. . . . It is certainly strange, if Graunt were the man, that he should have stopped short after having made such a remarkable step. Of Petty's abilities for dealing with the subject it is unnecessary to speak.[2]

The argument that Graunt cannot have written one book because he did not write a second,[3] is scarcely of a cogency sufficient to prevail against the favorable opinion of those who knew him. Anthony à-Wood, for instance, professes to give only "an exact history of all the writers and bishops who have had their education in the most antient and famous University of Oxford." Yet he goes out of his way to append to a sketch of Edward Grant, the classicist, an account of John Graunt, who owed his education to no university. And Wood has no doubt that Graunt could have written the book; for he describes Graunt as

> the most ingenious person (considering his education and employment) that his time has produced. . . . The said John Graunt was an

[1] Bevan's Petty, p. 43.

[2] *Assurance Magazine*, VIII, 236.

[3] In fact he did write two others, if Wood is to be believed; but they were not published.

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ingenious and studious person, generally beloved, was a faithful friend, a great peacemaker, and one that had often been chosen for his justness and prudence an arbitrator: but above all his excellent working head was much commended, and the rather for this reason, that it was for the public good of learning, which is very rare in a trader or mechanic.[1]

Pepys, also, who seems to have known Graunt well, accepted his authorship without the slightest hesitation.

IV.

To sum up the whole discussion: The *Observations* were published over Graunt's name. Everything about them, as well as everything known of his life, was consistent with the assumption that he wrote them; he had the incentive, the opportunity, the time, and in the opinion of his contemporaries the ability. The book was at once accepted by intelligent people as his, and unusual honors were bestowed upon him. Until after his death (1673) he was generally esteemed the author of the work. Between 1675 and 1705, however, four persons attributed the book to Petty; and later writers have pointed out striking resemblances between passages in the *Observations* and passages in Petty's avowed writings. It is substantially upon the testimony of Evelyn and of Aubrey and upon these similarities, that the whole case for Petty rests. Before we can admit Petty's authorship we must be convinced that Graunt and Petty, aided and abetted by Bell, were parties to a singularly purposeless [2] conspiracy whereby, with remarkable shrewdness in covering their tracks and giving to their fraud the appearance of truth, they deceived not only the general public but also their intimates in the Royal Society. Does the evidence adduced for Petty so far outweigh the evidence

[1] Wood, Athenæ Oxon. (1721), I, 311.

[2] Mr. Hodge says: "It is not necessary for us to determine what could have been Petty's object in making such an arrangement, — whether it was for some personal convenience or advantage to himself or to gain a reputation for Graunt." (*Assurance Magazine*, vol. viii, p. 235.) It is, to be sure, not necessary; but does not absence of motive suggest doubt as to the fact?

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for Graunt as to convince us that they were guilty of this contemptible conduct? If not, can the direct testimony for Petty, and the similarities noted, be explained without conceding the authorship of the *Observations* to him? I believe that they can be so explained.

In view of Evelyn, Aubrey and the parallel passages on one hand, and of the strong evidence for Graunt on the other, it seems almost certain that neither Graunt nor Petty was the exclusive author of all parts of the *Observations*, as we have them. There is, morever, competent authority for this view. Anthony à-Wood, speaking of Petty's *Observations on the Dublin Bills*, published in 1683, says: "He also long before assisted or put into a way John Graunt in the writing of his Nat. and Pol. Observations on the Bills of Mortality of London." And in his sketch of Graunt, Wood says: "He hath written . . . Natural and Political Observations . . . done upon certain hints and advice of Sir William Petty." That is to say, Graunt and Petty collaborated. But the character of their collaboration was, I believe, rather complementary than coöperative. They were not, properly speaking, "joint authors." The essential and valuable part of the *Observations* seems to be Graunt's. Petty probably assisted him with comments upon medical and other questions here and there; procured the figures from Romsey for the "Table of the Country Parish"; and may have suggested, or even written, the Conclusion, and possibly, also, the curious "epistle dedicatory to Sir Robert Moray," commending the book and its author to the Royal Society. Such assistance constituted authorship neither in Petty's mind nor in the mind of any one else. But when Petty, who had perhaps assisted in the enlargement of the third edition,[1] 1665, was preparing for the press a fifth edition, again enlarged, of the ever-popular *Observations*, he for the time being persuaded himself that he was their author. After-

[1] The appendix added to this edition gives much information as to the plague in continental cities, taken in part from an (unidentified) book "printed at Amsterdam, 1664." Petty certainly knew Latin and French, perhaps Dutch also; Graunt had only an English education.

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wards he thought better of it, and assigned the honor to Graunt, to whom it rightfully belonged. All this seems, I am aware, an elaborate edifice of shaky conjecture. I hope so to shore it up with chronological props that it may present at least the appearance of stability.

The fifth edition of the *Observations* is dated "London, 1676." Inasmuch as Petty went to Ireland in the winter of 1675–76, it is not unlikely that the book was published early in the latter year. Now Evelyn gives the earliest intimation of a Pettian authorship after supping at Petty's house in 1675. In 1680 Aubrey, in an account "perused" by Petty, first assigns the *Observations* to Graunt, and then asserts that they were "really" Petty's. Halley and Burnet were, as already noted, less intimate with Petty; what they say is of little independent weight. Meanwhile Petty seems to have repented. When, in 1682 and in subsequent years, he has occasion in his later works to mention the *Observations*, he repeatedly speaks of them as Graunt's, and that although he specifically cites the fifth edition, in which his own share was larger than in the others. Moreover, the title-page and the stationer's advertisement of 1683,[1] indirectly attributing the London *Observations*

[1] A list of Petty's works, in his own handwriting, apparently made in 1682, and brought to light by Lord Fitzmaurice in 1895, includes an entry, under the year 1660, of Observations on the Bills of Mortality. Nevertheless, Lord Fitzmaurice, although manifestly influenced by Dr. Bevan, whose dissertation on Petty he had read in its "privately printed" form, still comes, in spite of all, to substantially the conclusion reached above: "Already at a very early period of his career he [Petty] had given attention to the collection and examination of statistics, and had earned thereby the good-will and support of Captain Graunt. Graunt . . . had for some time been collecting materials for his 'Observations on the Bills of Mortality of the City of London,' which appeared in 1661 [O.S.], and is the first work of the kind published in the English language. It was generally believed at the time [!] that Graunt had received material assistance from Petty, and that he was to be regarded as the literary patron rather than as the real author. Bishop Burnet and Evelyn were both of this opinion [but not "at the time"; *cf.* above, pp. 110, 111], which the numerous parallelisms between the 'Bills' and Sir William's own work, the 'Treatise on Taxes,' go far to support, different though the two books are in style and in some of the views expressed. On the other hand, it is difficult to understand why Sir William in this particular case should have sheltered himself under the name of a friend, instead of publishing the book anonymously, as he did several of his works. Whatever the explanation may be, a reasonable

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to Petty, were at the first opportunity altered to a form consistent with what appear to be the facts.

In short, the *Observations upon the Bills of Mortality of London* are essentially Graunt's work, and he deserves the credit for them. Petty probably made contributions to the book which may have helped to bring it to popular, and even to scientific notice, but he added little, if anything, to its real merits. He edited it in 1676 with further additions, and for a while caused or allowed it to be supposed that he was the author. Subsequently he corrected the error. The general conclusion thus reached makes Graunt in every proper sense the author of the *Observations*. This conclusion is by no means new. But those who have held it have not hitherto explained the countervailing testimony for Petty; nor can it be explained save by a chronological examination of the evidence. Consequently one party has accepted Evelyn and Aubrey, while the other party has ignored them. The attempt here made to explain the testimony for Petty, without forgetting the stronger testimony for Graunt, seeks to correlate the facts, and to harmonize the probabilities more completely than has heretofore seemed possible. The opinion that Graunt, and not Petty, was really the author of the *Observations*, I hope thus to have raised in the minds even of readers who do not forget Evelyn and Aubrey, to the grade of probability, if not to that of demonstration.

CHARLES H. HULL.

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view probably is that it was a true instance of joint authorship. That Sir William had some hand in it can hardly be doubted, owing to the frequent mention of Ireland, which is so characteristic of all his works, and the wealth of medical illustration, which Graunt could hardly have supplied himself." — Life of Petty, p. 180.

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DO WE WANT AN ELASTIC CURRENCY?

IF one were to take a poll of the writers who have participated in the various currency controversies of this century, he would probably find a majority of the eminent names on the side of an elastic system. But as regards the practical outcome of these controversies, the victory, as is well known, has remained, in both England and the United States, with the advocates of a *safe* rather than an *elastic* currency. In the recent revival of agitation upon this matter, expert opinion has almost without exception declared for elasticity. Yet in this case, as in the former controversies, the idea has not been able to gain for itself legislative approval. For this failure to secure the realization in practice of an idea which seems to have gained such general acceptance in theoretical discussions, there are doubtless many causes, political and social, with which the economist has no concern. But I cannot avoid the conviction that one cause of some significance is the fact that this unanimity of opinion is to a considerable extent only apparent, — that there is not a little half-latent scepticism as to the value, or at least as to the importance, of elasticity. This conviction has led me to attempt a somewhat systematic investigation of the matter from the standpoint of experience. Is there a real need in the business world for an elastic currency, or is the whole agitation based upon a highly plausible *a priori* argument having little foundation in fact? That it must be very difficult to reach any definite conclusions from an investigation of this character, will at once be evident to every student of economics. After giving much time to the study, I am obliged to admit that the results are very meagre, and by no means decisive. They will, I think, be improved with still further expenditure of time; but at best they will not prove satisfactory. As now formulated, however, they may have some value.

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It is hardly necessary to enter into an extended discussion of the meaning of an elastic currency. In general, we understand by this term a currency the amount of which varies in accord with the varying needs of industry. I have purposely avoided saying, "which automatically varies"; since it seems to me that for all practical purposes even a purely arbitrary adjustment of the money supply to the money need must be substantially the same in its effects as an adjustment brought about through more natural means. I assume, therefore, that the various operations of the United States Treasury during the years of surplus revenue, whereby the amount of money in circulation was diminished at certain seasons and increased at other seasons, in accord with the supposed needs of trade, gave to the currency a real elasticity, though not of the most desirable sort. Again, we shall find it convenient, at times, to distinguish what we may call ordinary elasticity and "emergency elasticity." By the former, I mean that elasticity which adapts the amount of the currency to the varying needs of trade within the limits of a single ordinary year. By "emergency elasticity," on the other hand, I mean the capacity of the currency to adjust itself to those fluctuations in the need for money which characterize a panic.

The argument of this paper will fall into the three divisions indicated by the following questions: (1) Are there decided variations in the monetary need of the country from season to season, or from year to year? (2) Is the failure of correspondence between the supply of, and the need for, money, which these variations in need tend to bring about, productive of harm? (3) Have we grounds for thinking that elasticity in the supply would diminish this harm?

I.

First, then, are there decided variations in the need for money in different years, and at different times in the same year? Beginning with the latter case, shall we look for variations in monetary need between winter and spring, or between

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summer and fall, in the course of an ordinary year? On purely *a priori* grounds we should, of course, expect such variations. Nothing, surely, could be more natural than that, with the changes of the seasons, industrial activity should ebb and flow, and that with this ebb and flow there should be a corresponding contraction and expansion in the need for money. Midsummer, for example, is naturally a period of diminished activity; while autumn, on the other hand, brings renewed life in all industrial pursuits. With the latter season comes the much-talked-of need for money "to move the crops." Further, on the side of consumption, society has at this period greater need for actual money. At the change of seasons every family is obliged to incur a large amount of preparatory expenditures, *e.g.*, for winter clothing and fuel. Further, a variety of special outlays, for insurance, taxes, schoolbooks, tuition, *etc.*, are likely to be massed at this season of the year.

But while all would admit the naturalness of a change in the need for money at different seasons, there has recently developed a tendency to argue that matters have been wholly altered by the great development of credit media of exchange. Since these media carry on by far the larger part of the business of the country, and since they are indefinitely elastic, it is held that no real change in the need for money, as distinguished from credit, is felt. Even the idea of a special need for money to move the crops is scouted. The crops, we are told, are moved, like everything else, with checks. All this, however, is easy to answer. Doubtless there has been a great extension of the use of credit, but credit has not wholly superseded money; and so long as there is any field left to money, the need within that field is liable to expansion and contraction. Indeed, as regards moving the crops, the extension of credit is almost entirely in seeming. The checks which are used to buy wool and wheat are nothing more than tickets, which the receiver, in nearly all cases, at once exchanges for cash. They thus effect no material saving in the need for money. But, aside from this reasoning, the true way to settle the case is to appeal to the facts furnished in abundance by the reports of

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the commercial journals. Changes in the money need of the country inevitably show themselves in a variety of monetary phenomena.

Particularly significant is the ebb and flow of money between the country at large and the great banking centers. Whenever, through the falling off in the need, money becomes idle, it is, of course, commonly deposited in a bank. But the bank, in turn, does not have use for unlimited funds; and, if it be outside one of the reserve cities, it naturally ships any surplus to its nearest reserve agent. He presently finds himself overloaded, and passes the currency on to his New York correspondent. Thus, money which through the diminution of need has been rendered idle tends to accumulate in New York. On the other hand, if the need for money increases, at once a reverse movement begins. The local banker, where the increased need originates, calls on his nearest reserve agent for currency; the latter, in turn, applies to his correspondent in one of the larger reserve cities; and finally, the reserve cities have to fall back on New York. If we could follow these movements with certainty, we should have incontestable evidence on the point at issue. As a matter of fact, such certainty is not possible. Still, several quite unmistakable indications are available.

In the first place, *Bradstreet's* prints each week reports from the different large cities of the country, which give, among other things, the general direction of currency movements between bankers. I have made citations covering a number of years, which show a high degree of regularity. During the first four or six weeks of each year they run generally like this: Kansas City, January 12, "The flow of money is still toward the city"; Chicago, January 14, "Country bankers are borrowing but little money, and are shipping currency freely to this point"; Boston, January 21, "The last bank statement indicates a considerable influx of funds from the country." Presently there is a slight change: Kansas City, February 25, "The flow of money has been more toward the country during the week, while the return wave has not been large"; March

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29, "The outside banks are drawing more heavily upon the city." But April brings the renewal of the movement of January: Kansas City, April 14, "The flow of money is more toward the city"; Omaha, April 27, "Country banks are increasing their balances here." This continues for some weeks — indeed, for most of the country, till July. The South, however, changes the movement earlier. Even in May New Orleans reports: "A fair movement of funds to the interior has set in." With July similar reports begin to come in from cities farther north. On the 14th of that month Kansas City reports, "The flow of money is more toward the country"; July 21, "The demand for money from country banks is quite large"; August 3, "Country banks still continue to draw upon this city"; Chicago, September 8, "Currency shipments have commenced to increase in all directions." This movement continues for many weeks, but at last the current moderates. October 26, New Orleans reports, "The return of funds from the interior has commenced"; November 30, Chicago reports, "Currency orders from the country have been light"; Omaha, December 14, says, "The demand from the country has fallen off." By the end of the month the movement is fairly reversed, and the tide is toward the cities. To recapitulate, the country shows a diminished need during the first few weeks of the year; a slight increase late in February or early in March; a considerable decline in spring and early summer; a great expansion during the autumn, and a falling off in the last weeks of the year.

Still more striking confirmation of the usual opinion is furnished by the actual figures for the movements of money between New York and the interior. The net movement of each week, whether to or from the city, is reported by the *Financial and Commercial Chronicle*. I have compiled the figures for seven years, 1886–92, and embodied them in a diagram (I, 1, *b*). This diagram tells the same story. During January and February the country is emptying its idle money into New York. In March there is a slight reaction. This lasts but a few weeks, however, and from May till August the

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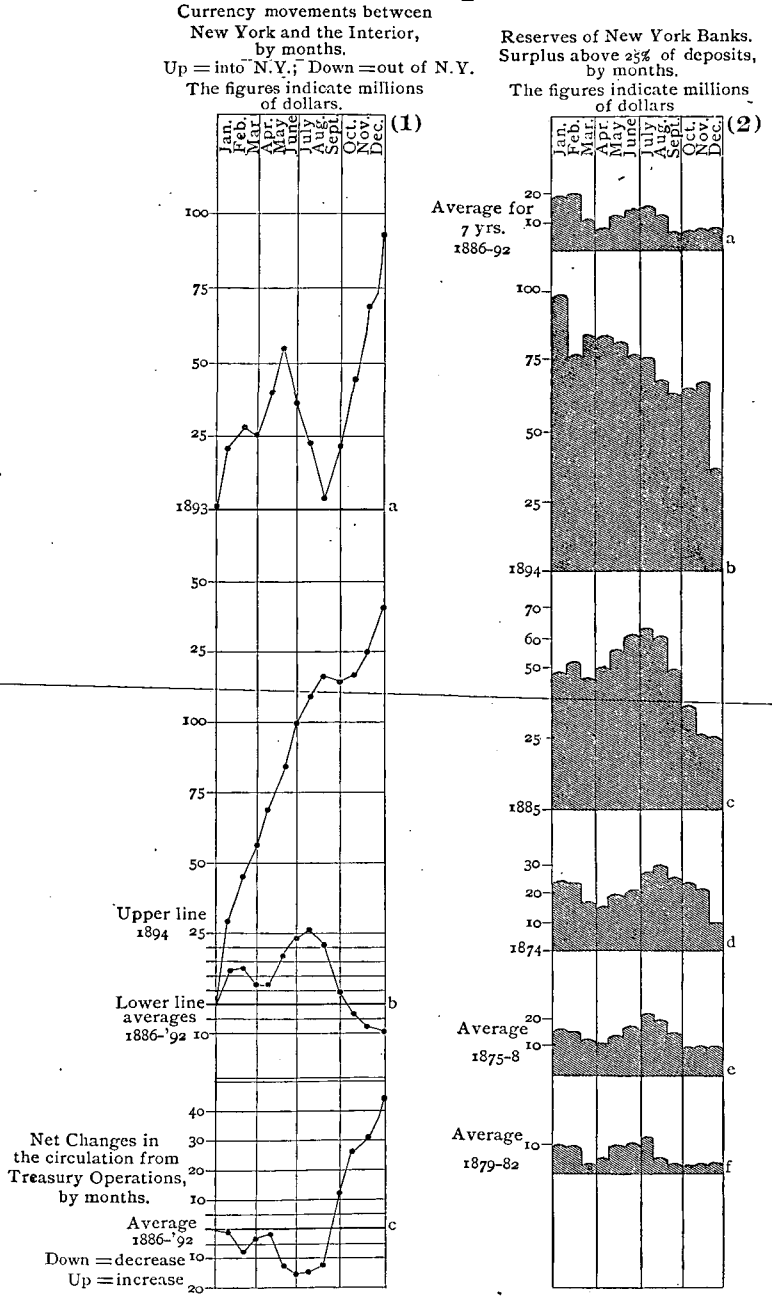
I



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tide again flows strongly toward New York. With August the turn comes, and the movement to the interior is strong and continuous till about the close of the year.

Finally, since New York keeps the reserves for the whole country, we should naturally look to the state of her reserves to learn the changes in the need of the whole country. If New York's surplus is larger than usual, and there has been no increase in the general stock of money, evidently the country as a whole is making little call for funds. If, on the other hand, New York's reserves run low, somebody certainly is making use of the money. I have compiled and averaged these surplus reserves for seven years, as before. The results, as exhibited in Diagram I, 2, *a*, agree perfectly with those already obtained: little demand in midwinter, a slight increase in early spring, a falling off in spring and early summer, a great increase in autumn, and a decline at the close of the year. That these changes in the condition of New York reserves were not due to changes in the amount of the general circulation of the country, is evident from the circulation statistics for the same period. Thus, in the autumn months, when the reserves were at their lowest point, the general stock of money in the country, outside the United States Treasury, was most expanded, as appears in Diagram I, 1, *c*.

I have spent a great deal of time showing that even in ordinary years there are considerable variations in the need for money. It will not be necessary, however, to dwell long on the case of the extraordinary variations characterizing a panic. The great crisis of 1893 is still so near that we have lively memories on that point. For the first time in many years, money was so scarce as to make necessary all sorts of temporary expedients to furnish even a medium of exchange for ordinary business. But, of course, the serious part of the affair was the unprecedented increase in the demand for money as the instrument in which value is hoarded, as the basis of the system of credit, and as the means of payment which should guard against universal bankruptcy. Some idea of the dimensions of that increase in demand can be obtained by

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considering that, in the course of a few weeks, the country absorbed twenty millions of national-bank notes, forty millions of imported gold, sixty-three millions of clearing-house loan certificates, besides uncounted millions of certificates of deposit, certified checks, *etc.* On the other hand, the diminution in the need for money when the panic had passed was no less extraordinary. With the second week in September, the country began emptying its surplus funds into New York. For seventeen weeks the amount each week averaged five and one-half millions. For thirty-seven weeks longer the influx continued, though at a slightly lower figure. During the whole fifty-four weeks the total received by New York reached 214 millions. Even when the tide turned and the country began to ask for money, the reverse movement proved to be very short-lived and insignificant, lasting five weeks and netting less than five and a half millions. Nor are we to suppose that these results arose from a mere change in the distribution of the need — that New York wanted the money, while the country was through with it. Doubtless, after the panic New York needed some funds to restore her reserves to the normal condition. This need, however, was satisfied in the course of three weeks, at the end of which time the surplus reserves stood at seventeen millions. But they did not stop here. A week later they were twenty-four millions; by the end of October, twenty-eight millions; by the end of December, eighty millions; and early in February, 111 millions — a figure never before reached in our banking history. (See Diagrams I, 1, *a*, *b*, and I, 2, *b*.)

In bringing out the fluctuations in the money need characteristic of a panic, it has been proved as well that the need is subject to great variations as between different years. Thus, the long-continued influx of funds to New York during 1894 shows plainly that the total need of the interior for that year was much below normal. As regards the country in general, if we take the surplus reserves of New York as fairly trustworthy indices, we find the greatest diversity in the needs of different years. Thus, years of depression or of very

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moderate activity, like those from 1874 to 1878, always show large reserves, and therefore little need for money; while prosperous years, like those from 1879 to 1882, or from 1887 to 1889, show moderate or rather low reserves, *i.e.*, much need for money. (See Diagram I, 2, *b–f.*)

II.

Assuming it to be sufficiently established that the money need is subject to very considerable variations at different seasons and in different years, it is now incumbent upon us to consider whether the failure of the volume of money to adjust itself to these variations results in harm. That such harm does result, at first thought seems too evident to need proof. "Surely," one argues, "no one can doubt that if possible the supply ought to correspond to the demand; and that if it does not, some degree of evil must follow." But a second thought raises doubts. Variations in the need for a given commodity are not uncommon in the industrial world, and they do not cause serious inconvenience, though the total stock does not expand or contract in accord with these variations. For example, the street-car system of any large city is called upon to do extra work at certain hours of the day; but of course no one demands that there should be some process by which the number of cars in existence can be suddenly increased or diminished. The variations in need are met by having large stocks, which are idle during the quiet hours, and are brought into requisition when the special need arises. Just so, it may easily be argued, should it be in the case of money. A good banking system ought to furnish all really necessary elasticity. The process described above, whereby the idle money of the country flows into the bank reserves, first, of the small towns, then of the larger, and finally, of the central reserve cities, is just what ought to be. And the banks in the central reserve cities ought to remember that the money they receive is only temporarily idle — that it will be wanted again in a few months; and, remembering this,

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they ought so to manage as to have the money ready when it is needed. Doubtless there is much force in this presentation of the case; and doubtless banks do reckon upon such expansions of need and do more or less fully provide for them in advance.[1] Nevertheless, bankers are, after all, private citizens in quest primarily of their own interests. To the mind of a bank officer, a reserve does not present itself in the first instance as a part of the equilibrating reservoir of the currency. To him the reserve is rather the bank's stock in trade — the store from which is drawn the cash, and the foundation that at once sustains and limits the credit which the bank loans for a consideration. Bank officers will always be tempted to treat excessive reserves as so much extra loaning power, and so will be tempted to inflate the bubble of credit. Further, there will always be danger that in thus treating their surplus reserves they will leave themselves insufficient resources for the time when the need for money has expanded. In a word, under normal conditions a banking system as such provides against excess or deficiency in the ordinary circulation, but not against excess or deficiency in the bank reserves themselves.

It would, perhaps, be begging the question to say at the outset that our system is subject to alternations of excess and deficiency in the bank reserves; since "excess" and "deficiency" imply injuriously high or injuriously low bank reserves. But that each year shows alternations of decidedly high and decidedly low reserves needs little proof. The data already used to show the variations in money need, show the existence of such alternations during the years 1886–92. My own studies have covered the period from 1871 to 1895; and of those twenty-five years there is only one which does not show within its limits a variation of more than fifteen millions of dollars in the surplus reserves, while a variation of twenty-five millions is not uncommon. In like manner, whole years and groups of years compared with one another exhibit similar alternations of high and low reserves. For example, 1885 and 1894 were years of extraordinary plethora; 1874 and 1895, of

[1] Kinley, The Independent Treasury, Appendix vi.

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decided plethora. (See Diagram I, 2, *b–d.*) On the other hand, outside the panic years, at least three were years of pretty constant stringency — the reserves being below the legal minimum during nine or ten weeks of each year, and never averaging for a month above a ten-million surplus. Are such variations in any degree harmful?

In the first place, it is plain that whatever harm may be caused by alternations of high and low bank reserves, must come, in the first instance, from their influence on the loan market. In that market they will evidently tend to cause alternations of ease and tightness. Of such ease or tightness, two sorts need to be noted. We may mean by ease a state of things where the borrower finds no difficulty in getting advances on ordinary securities; and tightness would of course be the reverse. On the other hand, we may mean by ease a condition of things where a low discount rate prevails, and by tightness, the reverse. In minor markets the one will often be present without the other; in a great center like New York they are usually found together: but, in any case, they are to be considered distinct forces as regards their power for good or evil.

That alternations of high and low reserves do give rise to alternations of ease and tightness in the first sense, scarcely needs proof. The sort of credit and the sort of security which lenders demand, vary constantly with the abundance or scarcity of the funds at their disposal. If they have abundance, they cannot afford to be particular. In the opposite condition, they must reject some applications, and will, of course, reject the least desirable. If one opens a copy of the *Chronicle* for some date in the fall of almost any year, his eye will fall on sentences like these:

> Lenders carefully scrutinized the collateral, declining to loan upon a certain class of stocks and bonds; and they required unexceptionable security well margined [Oct. 3, 1891].
>
> Loans on such collateral as will sell in the market are now the principal method of employment of capital. As none but those who have the least need for money have the collateral, this usually cuts off a great part of the usual loans by banks [Oct. 6, 1883].

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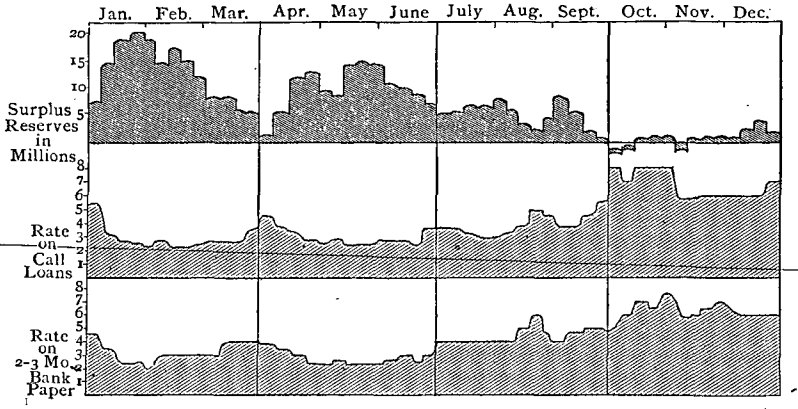
But alternations of high and low reserves no less certainly give rise to alternations of ease and tightness in the second sense, that is, to low and high rates of discount. The contrary opinion of some eminent economists cannot possibly stand against the overwhelming evidence of experience. In determining the short-time rate, the state of the bank reserves is undoubtedly one of the most important elements. To put to rest any lingering doubts on this matter, I have made detailed comparisons week by week of the surplus reserves and of the rates of discount in New York City for seven

II

Relation of Surplus Reserves and Rates of Discount in U.S. by weeks. 1889



years, and have found the usual opinion on this point entirely confirmed. As the phenomena do not readily admit the use of averages, I have taken the year 1889 as typical and have embodied the facts of that year in the diagram accompanying. The connection of high bank reserves with low rates, and of low reserves with high rates is here very evident.

Accepting as established, then, the proposition that alternations of high and low reserves will almost invariably be followed by alternations of ease and stringency in the loan market, the question still remains: Are these alternations of ease and stringency productive of harmful consequences? In the first

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place, it would be natural to argue that these conditions of themselves increase greatly the risk and uncertainty of all industrial operations. Unexpected tightness in the loan market means that thousands of men who are doing business on borrowed capital suddenly find themselves unable to get their usual supplies *at any price*. This will inevitably cause some losses, considerable curtailing of business, and not infrequently bankruptcy. A mere rise in the rates is much less serious, since it is less likely to cause failure; but it will certainly entail notable losses. How great these losses are there is no method of ascertaining statistically; but some idea of their extent can perhaps be obtained by reflecting that in September of 1892 the different banking institutions of this country had out, on demand or short-time paper, loans aggregating about three billions of dollars, and that half of this sum was loaned in nineteen large cities, where rates are subject to more or less constant fluctuation.

According to a common view, there is another way in which alternations of ease and stringency in the loan market increase the risks of business; namely, by causing abnormal fluctuations in prices. Such an effect, it is held, is particularly clear in the case of securities and of those staple commodities which are speculated upon in the great exchanges of the world. The reasoning upon which the above conclusion is based is comparatively simple. An easy money market means that it is easy and cheap for the prospective buyer to get the funds with which to make his purchases. Demand is therefore excessive, and prices rise. A tight money market, on the other hand, means that it is difficult and expensive for the buyer to get funds. Demand consequently falls off, and prices decline.

Without doubt the above reasoning is extremely plausible, but a somewhat extended investigation of the facts has failed to furnish any considerable confirmation from experience. I am not prepared to say that there is no effect of this sort, but I feel sure that the amount is in common opinion greatly exaggerated. A high level of prices seems perfectly compatible with the average fall stringency, and a low level with the

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summer plethora. In like manner, as between years which as a whole show excessive reserves on the one hand, and deficient reserves on the other, the high level of prices is just as likely to appear in the stringent year, and *vice versa*. However, I do not consider my materials sufficiently complete to warrant any dogmatism on this point, or even to justify its extended discussion. I would merely express doubt as to the propriety of attaching any considerable importance to this particular evil supposed to flow from alternations of ease and stringency.

Another harmful consequence that is usually attributed to fluctuations in the loan market is the undue stimulation or depression of business activity. Especially is it customary to complain of the plethora as a great speculation-breeder. Here, again, I conceive that too much weight has been attached to purely *a priori* considerations. It is, of course, natural to expect that an easy money market will support an amount of speculation which will strain the resources of a stringent market. But statistics seem to show that the efficacy of the cause in question is so slight as to make its significance very trifling. Certainly, whatever influence it may exert is in most cases so completely offset by other forces as to be scarcely discernible. Thus, if we compare the total yearly volumes of speculation, we find little evidence that plethoric reserves are favorable or lean reserves unfavorable. For instance, the years 1875 to 1878 were rather plethoric, while 1881 to 1883 were decidedly stringent. Yet in the former group stock speculation amounted to an average of only forty-five million shares per annum, against an average of 109 millions in the second group. Similarly, if we compare 1885 and 1886, we note that the former had surplus reserves averaging about forty-eight millions, the latter had but fourteen. Yet the volume of speculation for the plethoric year was only ninety-two million shares, as against 100 millions for the lean year. Again, 1888 was a plethoric year as compared with either 1887 or 1889, its reserves averaging seventeen millions, against eight in 1887 and seven in 1889. Yet its speculative transactions amounted to sixty-five millions, against eighty-four and seventy-two for the other years.

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Only the year 1892, as compared with 1890 and 1891, furnishes some confirmation of the usual view. The first-named had larger surpluses than either of the others, and also a slightly larger volume of speculation — eighty-five millions against sixty-three and seventy-one millions. When we compare the monthly volumes of speculation within the limits of a single year, we find just as little evidence in favor of the common opinion. Out of the seven years, 1886 to 1892, in only one case, 1892, did the two months of greatest speculation correspond with those of highest reserves. During each of the other six years, from two to four of the months of highest speculation were outside the months of highest reserves. But the case can be made still stronger. In five out of the six years, the month of greatest speculation coincided with one of the two or three months of lowest reserves. The fact seems to be that if men are in a speculative temper, they manage to indulge themselves freely on very low reserves; while if they are not inclined that way, an easy money market does not seem to furnish the necessary stimulus.

I come now finally to the common contention that a plethoric condition of the loan market increases the difficulty of protecting the gold reserve of the country. For various causes, this protection of the gold reserve has become an industrial function of prime importance. Doubtless its importance can be, and often is, somewhat exaggerated; but, in any case, the avoidance alike of real and of imaginary ills requires that the matter shall be managed with wisdom and efficiency. Now, our system, which throws this task upon the government, is considered by almost all persons whose opinions have any weight as, at its best, a very bad system. Assuming, however, that there is no chance of making a radical change, it is plain that the performance of this task should not be made unnecessarily difficult. That unnecessary difficulty is caused by a plethora, seems practically beyond doubt. Under our system, the reserve is liable to attack both in the usual way, through a heavy gold export, and also in a way peculiar to the system, through the falling off of the gold receipts of the Treasury.

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A plethora plainly tends to weaken our defense at both points.

Let us begin with the latter case. If there is in New York an excess of the different forms of non-standard money, these naturally come to constitute a large part of the Treasury receipts, and so the source of supply upon which we must depend to reinforce the gold reserve is cut off. With an elastic currency, however, there could not be in New York an excess of non-standard or credit money. If we had a currency consisting simply of gold, supplemented by subsidiary silver and a thoroughly elastic system of credit money, the latter would in times of depression be returned to the issuer; and we could never have, as during the last two years, vast amounts of idle credit and semi-credit money accumulating in New York. The Treasury receipts at New York would, consequently, continue to be largely in gold, and no particular difficulty would be experienced in maintaining the reserve, — assuming, of course, that the Treasury should remain solvent on its purely fiscal side.

In the second place, a plethoric condition of the currency plainly tends to weaken our defense of the gold reserve against attack from a prolonged export movement. Even without interference from the banks, every export movement tends to bring about the conditions which of themselves put a stop to its continuance. That is, the export depletes the bank reserves, raises the rate of discount, encourages an inflow of capital, and so checks the outflow of gold. In a plethoric condition of the bank reserves, however, the gold drain must be great and long-continued before it can draw them down to any appreciable extent. Again, it is plain that a plethoric condition of the reserves not only hinders the operation of natural causes which would check exportation, but also, since it tends to produce an abnormally low rate of discount, is likely to aggravate an outflow of gold due to other causes, and even to initiate one of its own.

So far as the above reasoning concerns the influence of a plethora in hindering the operation of the natural correctives of a gold drain, confirmation from experience is easy. This

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ground, indeed, has already been largely covered. According to the argument, a gold drain tends to correct itself by bringing up the rate of discount; but the plethora in the bank reserves neutralizes this tendency. Evidently, the soundness or unsoundness of this reasoning depends on the question whether there exists the close connection alleged between the state of the reserves and the rate of discount, and between the rate of discount and gold movements. Evidence on the first point — the connection between the state of the reserves and the rate of discount — has been given already, and might be multiplied indefinitely. The connection between the rate of discount and the movement of gold is by no means so constant. There are other immediate causes operating to determine the movement of gold — causes which are likely to conceal or neutralize the influence of the rate of discount. Consequently, we are not always sure that the raising of the rate by depletion of the reserves through gold exports will check these exports. Yet, plainly, it is more probable that such a result will ensue — that the exports will be checked — when there is no plethora to hinder the gold exports from raising the rate. Further, while the raising of the rate is not absolutely certain to check the export movement, there is ample evidence that it will generally do so. On this point, perhaps, nothing more is necessary than to remind ourselves that the raising of the rate has been so successful in accomplishing this end as to make it the established method of the Bank of England for defending its gold reserve.

One hesitates to leave this question without trying to make the case still stronger by showing that a plethoric currency not only hinders the operation of the natural corrective of a gold drain, but also aggravates such a movement, and may even initiate one of its own. Of course no one denies the probability of such results on purely theoretical grounds; but to prove from experience that the tendency in question is of sufficient power to be of real consequence in our industrial life, is by no means easy. Some weight may be attached to the almost uniform coincidence between high reserves and gold exports; but such a coincidence would naturally be expected on other

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grounds. Something like a test case, however, is furnished by a comparison of the first halves of the two years 1886 and 1887. Of these two years 1886 had decidedly more plethoric bank reserves (the surplus averaging for the export months twenty millions against six millions), and the outflow of gold was also much more considerable (forty-two millions against one and a half millions). That these two facts are probably connected as cause and effect it is easy to show; since most of the other causes which might explain the increase were operative in even a less degree in the year of larger exports than in the other. Thus, while the merchandise balance was against us in both years during the months of gold export, the amount was much less for the year of larger gold exports, being only one million for 1886 against twenty-seven millions in 1887. Again, there was in neither year any special effort on the part of the great European banks to draw our gold. Indeed, so far as the European money markets favored either year, it was 1886, the average rate of the Bank of England for the first six months of that year being two and seven-tenths per cent, against three and one-tenth per cent for 1887. In like manner, the continental rates averaged lower throughout the former year. Thus, most of the facts tended to make the gold exports of the year 1886 *less* than those of 1887. In the absence, therefore, of any evidence that an exceptionally large return of securities from foreign countries took place during 1886, the plethoric condition of the reserves seems to furnish the only sufficient explanation of the excessive export of gold.

Doubtless some readers will be inclined to suggest that no better proof of the power of a plethora of money to drive out gold could be desired than our experience of the last few years. But this does not seem so certain as is often supposed. It is, indeed, hard to believe that the inflated condition of the circulation has had nothing to do with the matter. But when one appeals to the facts to learn whether the forces usually supposed to be operative under an inflated currency were really at work, the results are not very satisfactory. As the argument commonly runs, inflation drives out gold by lowering the rate of

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discount till it is more profitable to invest capital elsewhere. But, as Mr. Heidelbach pointed out in the *Forum* of February, 1895, while the rates in New York have been extraordinarily low, those of Europe have been lower still. May not the suggestion of the New York *Evening Post*,[1] however, furnish something of an answer to this? Since international capital is chiefly of European origin, it will naturally demand, as a condition of staying in New York (*i.e.*, away from home), not merely equal or slightly higher rates, but decidedly higher rates. It may be that rates two or more per cent higher than those in Europe will keep foreign capital in New York, while any smaller excess will tend to cause its withdrawal. Of course the limit would vary with the state of American credit, the chances for other investment, *etc.* If this reasoning be correct, the adverse working of a plethora could be demonstrated by showing not that it had made the rates lower than those of Europe, but merely that it had made the difference in favor of New York less than the usual minimum. Upon this point I have been unable to satisfy myself from the statistics of the case; but some degree of confirmation is easily obtainable. For instance, during the first half of 1886, though New York rates, as given by the *Economist*, show an average about one-fourth of one per cent higher than those of London, gold went out in large amounts. In 1887, however, New York rates averaged slightly over two per cent higher than London rates, and gold did not go, even although, as we saw earlier, other conditions favored such a movement. Again, during the autumn of 1895, gold went out for some weeks while New York rates were from one-quarter to five-eighths higher than those of London; but stopped in the latter part of September, when the difference increased to one and one-eighth. When, in turn, the difference fell to seven-eighths in the middle of November, the outward movement was renewed.

Whatever doubts may remain as to how much the plethoric condition of our reserves has contributed to the gold drain of the last few years, there is probably no need for further

[1] Some date in December of 1895.

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argument to show that in general such a condition at least enhances the difficulties of checking a drain, and of protecting the government's reserve.

Having discussed at such length the evils caused by ordinary variations in the need for money, I can make only a passing allusion to those extraordinary variations which mark a panic. There is, however, little need for argument at this point. The evils of a panic are well known and keenly felt. They cannot, of course, be attributed primarily to the mere discrepancy between the need for, and the supply of, money; for deeper and more permanent causes are doubtless at work. Still, there is little room for question that the cataclysm itself, as well as its more immediate evil effects, is directly traceable to the fact that banking institutions, possessing ample resources of unquestionable character, cannot, after all, supply in sufficient amount the only form of capital at the moment in universal and imperative demand, *i.e.*, money. In a word, whatever the remoter causes of the disaster, its immediate occasion is the sudden and almost unlimited increase in the demand for money as such.

III.

I have now shown the existence of variations in the need for money. I have shown, secondly, that harm results from these variations when not accompanied by corresponding variations in supply. It remains to consider whether the presence of an elastic currency would prevent or diminish this harm. It might, at first thought, seem that an affirmative answer to this question is already implied and demonstrated in the argument that the harm in question results from discrepancy between the money need and the money supply. But, as a matter of fact, it is possible to contend that, even if the harm results from the inequality of need and supply, the remedy cannot be reached by manipulating the supply, but only by altering in some way the need. To borrow an analogy from another science, it is one thing to prove that a given poison, administered without an antidote, will kill a man, and quite another thing to prove that the

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antidote will save his life. Perhaps the only way to save his life is not to give him the poison at all. To come back to our own case, it must be admitted at once that any hope of removing altogether the evils we have been considering by the establishment of an elastic currency, is in the highest degree chimerical. The changes in the need for money are often symptoms rather than causes of disease. To secure lasting benefit, the treatment must be deeper than any mere monetary reform. It is, however, possible to make out a pretty good case for the power of elasticity to mitigate, at least, the evils we have considered.

Let us begin with "emergency elasticity," the power to expand so as to meet the extraordinary need of a panic. Of course no one expects to increase the circulation rapidly enough fully to satisfy the demand which marks the acute stage of a panic. Such expansion would, perhaps, be a physical impossibility. What the advocates of elasticity do argue is, that if a scheme be provided whereby the public can be assured that practically unlimited supplies will be forthcoming,—that all really urgent needs will be satisfied, then the public, thus assured, will immediately cease to feel any extraordinary need.

It is hardly necessary to remark that this reasoning has been in a high degree confirmed from experience. England, as is well known, has furnished three crucial instances in the suspensions of the Bank Act in 1847, 1857 and 1866. The success of the device on those occasions is almost universally admitted. Again, as is also well known, the idea has been repeatedly tested by the United States Treasury through the prepayment of interest on the public debt and the buying-in of bonds. That in several important instances these expedients gave great relief, can scarcely be questioned. Our clearing-house loan certificates also illustrate the application of the same idea, and of their great value there can surely be no well-founded doubt.

Again, the Imperial Bank of Germany, as is well known, has the power of expanding its issue, though under penalty. Since the establishment of that bank in 1875, however, there has

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been no opportunity to test thoroughly the efficiency of the elastic limit in stopping a panic or in mitigating its evils. But is it not reasonable to argue that that very fact is the best possible proof of the efficiency of the device? Consider what it means. Twenty years have passed, in which the United States has had one crisis of the first magnitude, a second of lesser significance, and, besides, a year of great stringency and distress. During the same period England has once been saved only by the altogether exceptional action of the Rothschilds, the Bank of England and the Bank of France. Yet in all this time, Germany has not experienced a monetary disturbance sufficiently serious to test the new scheme. On the whole, it is difficult to see how that scheme could have worked better.

But again, experience furnishes some ground for the expectation that elasticity will prove valuable in mitigating the evils of those fluctuations in money need which take place in ordinary times. The most important of those evils, as we have seen, are traceable to the influence of excessive or deficient reserves on the rate of discount. The good, then, to be hoped for from an elastic currency is the prevention of any very considerable or sudden fluctuations in the discount rates. The reasonableness of this hope is more or less confirmed by the experience of various other nations. The case of Canada has repeatedly been cited in recent years. According to all accounts, the people of the Dominion have from experience no knowledge of the annual fall stringency with which our business men are painfully familiar. But Canada is a small community, and can scarcely furnish decisive evidence. Some light, perhaps, may be obtained from a comparison of the loan markets of the chief European states. It is notorious that, as compared with London, the continental capitals maintain great steadiness in rates and are almost entirely free from disastrous "squeezes." This greater steadiness of rates I have attempted to bring out by computing the percentage of variations in the average monthly rates about the yearly mean for each of the eight years, 1884 to 1891, and then making an average for the whole

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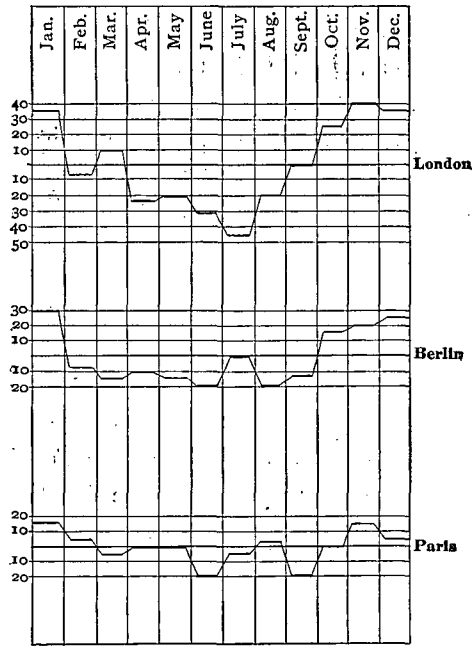
period. This I have done for London, Paris and Berlin. The results are embodied in the diagram. As was to be expected, the fluctuations are least in Paris, greater in Berlin, and greatest in London.

This greater steadiness of the continental markets has been commonly explained as due to the insignificant development

Fluctuations of market rate of discount about annual mean Monthly average for 8 yrs. 1884 to 1891. The figures indicate per cent of annual mean.



on the Continent of credit operations, the smaller dimensions of the market, the insignificant volume of speculation, *etc.* I doubt whether this explanation can any longer hold in a large degree. Certainly both France and Germany have experienced during the last twenty years great expansion at every point named. Further, so far as the use of credit in place of money is concerned, its greater extension in London tends to increase the danger of a panic, but does not operate to increase the fluctuations of the rates characteristic of ordinary times. On the contrary, the extreme elasticity of credit-media substitutes

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for money ought *a priori* to increase the steadiness of rates; and conversely, the greater dependence upon actual money characteristic of the Continent would be expected to make the state of the money reserves more effective to cause fluctuations in the rates. Without elasticity, therefore, those markets would be expected to show greater fluctuations. Doubtless something is to be attributed to the superior management of the continental banks;[1] yet here again it seems natural to argue that their power to furnish better management largely depends on the greater elasticity. As is well known, the Bank of England keeps out its whole uncovered circulation all the time, and therefore has no power to expand or contract, save as it contracts or expands its reserves. The continental banks, on the other hand, keep the circulation in constant flux, so that a change in the volume of outstanding notes of from twenty to thirty millions of dollars in a single week is no uncommon occurrence. This is more especially true of the Bank of France. It surely is reasonable to argue that this highly elastic condition of the circulation is one cause of importance in explaining the superior steadiness of the continental markets.

Finally, as to the matter of protecting the gold reserve of the country, is there any reasonable ground for doubting that a thoroughly elastic currency would make this task more easy? Admitting that the inflation of the currency has not been the cause of our recent exports of gold, admitting even that it has not in any considerable degree contributed to that export, still it cannot be seriously questioned that a contraction such as would naturally have taken place in an elastic currency, would have done much to check the outflow of gold. If only the national-bank notes were genuinely elastic, if they had such "homing" tendencies as New England notes had under the Suffolk system, their withdrawal from the country circulation and from the holdings of the private and state banks would have made plenty of room for the Treasury notes and silver without filling New York's reserves to repletion. Or if the Treasury notes were issued on an elastic system, say like that

[1] Mr. Ladenburg in *Forum*, January, 1896.

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advocated in 1871 by Comptroller Knox and later by Secretary Windom (*i.e.*, the system of interchangeable bonds and notes), then as soon as idle money began to accumulate in New York after the panic, the notes would have been returned to the Treasury in exchange for low-rate bonds, the reserves would have remained at a reasonable level, rates of discount would have been kept somewhere near normal, the Treasury receipts would have continued to be in a considerable measure gold, and there would not have been any such easily available supply of greenbacks with which to work the "endless chain" arrangement. With all these conditions established, I venture to affirm that in spite of the free-silver agitation there would have been no gold export sufficient to arouse serious apprehension.

But, in regard to this matter, we are not dependent on theory alone. Experience, also, has shown the efficacy of currency contraction to check a gold movement. A single illustration on this point from the recent history of the Bank of England will close this article. In the fall of 1892, the Bank found itself called upon to stop a gold export. The rate was raised as usual; but the abundance of money in the city outside, made the action of the Bank impotent to affect the open market rate. At this juncture, following a plan developed in recent years, the Bank began selling consols in order to drain off the surplus funds of the market.[1] In the course of two weeks, about ten million dollars were absorbed in this way. The market quickly responded, the rate rising from about two per cent to three. In turn, the establishment of the higher rate was immediately followed by the practically complete cessation of the gold export. That contraction always has worked or always will work so well, no one would affirm; but, of its power to do much toward attaining the object sought, there is little room for reasonable doubt.

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[1] See article by Heiligenstadt in Conrad's *Jahrbücher*, Folg. 3, Bd. v, S. 209.

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REVIEWS.

Municipal Government in Continental Europe. By ALBERT SHAW. New York, The Century Company, 1895. — xii, 505 pp.

Proceedings of the Minneapolis and Cleveland Conferences of the Municipal Reform League for Good City Government. Philadelphia, National Municipal League, 1895. — vii, 544 pp.

The City Government of Boston. By NATHAN MATTHEWS, JR., Mayor of Boston, 1891 to 1895. Boston, Rockwell & Churchill, 1895. — 288 pp.

To all interested in municipal questions, Dr. Shaw's new book will be most welcome. In no language is there an equally complete and exhaustive description of the workings of Continental municipal government. It must be admitted at the outset, however, that municipal reformers will not find much more in this work than they could find in the author's previous book on *Municipal Government in Great Britain* to serve as a basis for changing our municipal organization. Questions of municipal organization have little attraction for Dr. Shaw. He says, on page 304:

> In the United States the reformers have doubtless at times lost sight of the aims and objects of government in striving after good government as an end in itself. Their attention has been devoted to the structure and mechanism, and so far as the cities are concerned they keep changing it perpetually. They are forever overhauling, repairing, or reconstructing the house without seeming to have many attractive or inspiring uses for which they are eager to make the house ready. The Germans of our generation, on the other hand, have taken their old framework of city government as they found it and have proceeded to use it for new and wonderful purposes, altering it somewhat from time to time, but not allowing its defects to paralyze the varied activities of the household.

This attitude of the author tends, of course, to detract from the value of both books; for, while it is undoubtedly true that the tendency of all reformers is towards change, — change for the better, it is hoped, but at any rate change of some sort, — it must be admitted that in many states in this country municipal conditions are

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such that almost any sort of a change would seem to offer no greater terrors, at least, than the expectation of continuing in our present conditions.

On one point in municipal organization Dr. Shaw does, however, lay great stress, namely, the fact that under all foreign systems of municipal government the detailed administrative work is delegated to a set of permanent expert officials. But he does not seem to put sufficient emphasis upon the relation of the Continental city to the central government. In speaking of France, it is true, attention is called to the important control which the central administration exercises over the acts of the city; but in the treatment of Germany one looks in vain for even a mention of such control, which is in fact as marked in that country as in France. Indeed, the corollary of the Continental principle of municipal autonomy, to which he calls attention, seems to be the existence of strict central administrative control both over those functions of general interest which the city is discharging and over the municipal finances. While Dr. Shaw does not intend in this book, any more than in his book on English municipal government, to set up models for us to follow, in both works his strong preference for the council system is apparent. Council government, particularly as applied in large cities, is thoroughly discredited in many parts of this country; and those who believe that a local legislative body is a necessary prerequisite of municipal home rule feel that their ideas can be realized only after some change in the principles of representation. His readers will therefore regret as much as does Dr. Shaw himself that he could not see his way clear to include within his volume an account of the workings of proportional representation in Switzerland.

But if attention is not directed to those points in which the public lawyer and the municipal reformer are particularly interested, no praise of this book can be too high. It contains a mass of information which is nowhere else accessible. Particularly interesting, and to the average reader surprising, are the statistics relative to municipal development in Germany. The book shows us what an earnest municipal government is capable of accomplishing; and to those who are interested in alleviating the wretched conditions so prevalent among the urban population in this country, it is invaluable. Further, notwithstanding all these detailed statistics, Dr. Shaw has given us an extremely interesting book. He who runs may read it with both profit and pleasure. Owing probably to the author's tendency to look with indifference if not

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with scorn on the details of municipal organization, we find no dry discussion of legal principles, ordinarily so appalling to the general reader. Finally, it should be mentioned that the book is much more than its title indicates. Besides describing the system of European municipal administration, it gives in many cases an excellent description of the entire system of local government. Attention must be directed to the appendices: the first two contain the condensed budgets of Paris and Berlin; the third, an abridged translation of the French municipal code of April 5, 1884. As this is one of the latest general municipal-corporation acts, and as it probably exemplifies most completely the Continental theory of municipal government, it cannot fail to interest all students of this subject, and particularly those of municipal organization.

While an examination of European, and particularly of Continental, municipal institutions will reveal the fact that European minds have reached a very definite idea of the place which the city should occupy in the government, an examination of American conditions cannot fail to impress us with the belief that Americans have not yet come to any definite conclusion on the subject. This is due partly to historical and partly to legal reasons. On the one hand we have been so much occupied in determining the position of the state in our public policy that we have had little time to devote to the city; on the other hand, the struggles between the states and the federal government, and the solution of the problem how at the same time to protect private rights and preserve democratic principles, have confined our study of questions of public law almost entirely to those of a constitutional character. Administrative questions have been relegated to the background, or, when they have imperatively demanded attention, they have been solved by resort to temporary and often unwise expedients, certainly not based on any fundamental theory. Within the last half century, however, there has been a very general tendency to seek a solution of the municipal problem on somewhat the same lines that had previously been followed in preserving private rights; everywhere the power of the legislature over cities has been limited. But this remedy, the only one based on a fundamental theory, has not been very successful in its operation; and at the present moment we are probably more at sea, so far as the municipal problem is concerned, than at any other time in our history.

This fact comes out most clearly in the *Proceedings of the Minneapolis and Cleveland Conferences*, held under the auspices of the

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Municipal Reform League. The various "systems" of municipal government described in this report — the council system, the board system, the representative system, the system of responsible heads, the federal system, *etc.*, — show what confusion exists within the minds of those who have devoted much time to study of the municipal problem, and from whose ranks must be expected to come the Moses who is to lead us into the promised land. Mr. Woodruff probably expressed most accurately the condition of mind of the municipal reformer in the old rhyme which he quoted to the delight of those assembled at Minneapolis:

> The centipede was happy quite
> Until a frog, in fun,
> Said, "Pray, which leg comes after which?"
> This raised its mind to such a pitch,
> It lay distracted in the ditch,
> Considering how to run.

But while the hope of immediate concerted action in the direction of practical reform is not much strengthened by the perusal of the papers read at the two meetings of the League, it is to be remembered that as a result of these meetings and of the publication of their proceedings, we are obtaining the one thing which we need more than any other, namely, knowledge of our municipal institutions, and of the working of the various municipal systems existing in the United States. The period within the last fifty years has been one of experimentation. The period now beginning seems to be one of induction from those experiments — an induction which has hitherto been impossible because of lack of knowledge.

At the present time, however, the only induction that can be made is of rather a negative than a positive character, namely, that slight changes in organization, however enthusiastically they may be advocated, seem to have little influence in bettering the actual condition of municipal government. This result seems due to a failure to apprehend the fundamental theory of municipal government, which, as a legal question, has not received much attention at the hands of the gentlemen who have been most interested in the movement for reform. It is hoped, however, that with the growth of interest in municipal government will come a determination to study the legal position of the city in the American system of government as carefully as fifty years ago the legal position of the state was studied. Such study is of the greatest importance; for on a clear conception of the city's position depends not only the degree of local self-

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government which it shall possess, but also the organization which shall be given to its government.

On this legal side of the municipal problem, the present volume of *Proceedings* is distinctly deficient; but it contains a vast fund of information on municipal government which no one interested in the problem in the United States should fail to ponder. It is to be hoped that the League will continue in the work which it has undertaken, and from which so much good is to be expected.

The volume on *The City Government of Boston* contains the valedictory address given by Mr. Matthews, in accordance with custom, on the occasion of retiring from the office of mayor. Being devoted almost exclusively to local matters, it will primarily interest the general student of municipal government only so far as Boston has had to solve problems similar to those which confront all large cities. But the book contains several chapters which have a wider character. Particularly to be mentioned among these is one entitled "The Problem of Municipal Government." Seldom do we find among those in public municipal life so large a knowledge of foreign municipal conditions and institutions as Mr. Matthews possesses. Nowhere shall we find a more thorough appreciation of the legal position of the American city, or a clearer perception of the difficulties which beset us in our attempts at municipal reform, and which tend to render futile many of the projects brought forward with so much ardor by reformers.

Mr. Matthews has no confidence in the efficacy of many of the reforms which have been proposed. He particularly distrusts the "non-partisan" idea, in the sense in which that term is generally used, believing that this plan, as well as any scheme of minority representation, would lead to the formation of social municipal parties; but he even more distinctly repudiates the idea that the question of municipal organization is unimportant, and himself proposes, as a result of his experience, several changes which cannot fail to impress all with their wisdom. Among these are, "a reduction in the number of elective officers; . . . the concentration of executive business in the mayor; fewer departments, longer terms of office, the civil service rules and the limitation of indebtedness." But the point upon which Mr. Matthews lays particular stress is the proposition that the city is an organ of government and not a business corporation. That this is the truth in law is beyond question; and there would be difficulty in maintaining that it is not just as true in fact.

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Most of Mr. Matthews' suggestions for reform, as well as his statement of general theory, are to be found in the chapter to which attention has been called. It is a great pity that these remarks are contained in one of those public documents whose usual fate is not to reach the eye of the public, but to be consigned to the oblivion of the library shelf. It is believed that a service is rendered to those interested in municipal questions by calling their attention to this most excellent little book.

F. J. GOODNOW.

Das Staatsrecht des Deutschen Reiches. Von DR. PAUL LABAND. Dritte, verbesserte und vermehrte Auflage, in zwei Bänden. Freiburg i. B. und Leipzig, J. C. B. Mohr (Paul Siebeck), 1895. — xii, 767, 1058 pp.

The third edition of Dr. Laband's great work reveals an interesting development of the great publicist's thought, but rather in the philosophical, than in the strictly legal, part of his treatise. In this edition Dr. Laband seems to have realized far more distinctly than in his first edition the importance of a clear conception of the nature of sovereignty in the description of any existing political system, and of the definite location of the sovereignty in a federal system. He also appears to have more successfully attained this conception, and to have more firmly located the power for which it stands — in the case of the federal system, in the central organs.

Both of these things are manifest in the concluding paragraph of page 52 of his third edition, a paragraph which does not appear at all in the first edition, and which, we may therefore fairly infer, represents the development of Dr. Laband's thought upon this fundamental subject. Freely translated the passage reads as follows :

> From the above course of reasoning it follows that in international unions of states — confederacies — the states, which are the members of the union, are the possessors of the highest political power ; while in the union of states in a federal system there is a power present which is superior to the states and rules over them. In this system, therefore, the states do not possess the supreme power. The supreme power, the power which has nothing above it, we call sovereign. The fundamental, characteristic distinction in idea between the international confederacy and the constitutional federal union consists in the principle that in the former the separate states of the confederation are each sovereign, while in the latter the *central power* is sovereign.

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Of course Dr. Laband holds that sovereignty is neither divisible nor relative nor dependent nor subject to limitations. It is absolute, and exists in its totality or does not exist at all. There is no doubt that the great publicist now stands upon completely solid ground in reference to this cardinal concept of political science.

It is evident, on the other hand, that he has not yet built his whole political philosophy upon this foundation, and that this fundamental idea has not yet completely penetrated even the more important divisions of his reasoning. He still holds, as he held in his first edition, that sovereignty is not the distinguishing characteristic, the absolutely necessary quality, of the state; and that there can be states without sovereignty — in proof of which assertion he instances the states of this Union and those of the German Empire.

He says that the essence of the state is to be found in the "inherent power to rule." He does not, however, explain how any body which is not sovereign can have an inherent power to rule. It is easy to understand how, in a federal system, what we call the states of the union have the power to govern in a certain sphere independently of the central government, when the central government itself is not sovereign, but is subject to a power still more supreme. If, however, these states do not derive their powers to govern from this more supreme power, to which the central government itself is subject, but possess them inherently, then we are bound to conclude that our so-called federal system is not a federal system in reality, but is an international union of sovereign states.

In a word, it is apparent that after having attained the true conception of sovereignty and its general position in a federal system, Dr. Laband allows himself to become confused, in the application of his principle, by the fact that in European constitutions the sovereignty has not yet been organized sufficiently distinct and separate from the central government or a part of the central government, and by the other fact, that the members of federal unions are still called states. But if the true doctrine in reference to sovereignty is to make itself practically valuable in the improvement of present political systems, it must not undertake to compromise its principle with existing forms and names. It must seek to organize itself separately from, and wholly supreme over, all governmental organs, and to revise the political nomenclature of the past, so as to make it express the actual relations of the present.

If Dr. Laband were a younger man, I doubt not that he would work his way to this conclusion. It is not impossible that he may yet do

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so ; but it looks now as if nothing short of another popular upheaval will teach the great publicist that his doctrine — that the states of the German Empire, *i.e.*, the princes of those states, have the inherent right to govern, while sovereignty is in the oligarchic Federal Council (*Bundesrath*) — is not founded upon the actual conditions of Germany's political society, is contradictory in itself, and is reactionary in its effect.

When we turn to the second part of Dr. Laband's work, *viz.*, the interpretation of the imperial constitution in regard to the structure and powers of the government, and the description of the modes of its operation, no intelligent reader can help feeling the highest satisfaction and delight. The treatment is full, perspicuous and vigorous, and, so far as I am able to judge, entirely correct. Without reading Laband, a complete knowledge of the constitutional law of the German Empire can hardly be attained.

JOHN W. BURGESS.

Du Contrat Social. Par J. J. ROUSSEAU. Introduction et des Notes par EDMOND DREYFUS-BRISSAC. Paris, Félix Alcan, 1896. — xxxvi, 425 pp.

There is rather more than the usual amount of truth in the eminently Gallic paradox with which M. Dreyfus-Brissac begins his introduction : " Rousseau est célèbre, mais il n'est pas connu." In view of the enormous responsibility which is laid by tradition and common fame upon the *Contrat Social* in connection with the French Revolution, and later with socialism, it is certainly surprising that hitherto no critical edition of the work has been published. M. Dreyfus-Brissac has now, in the handsome volume before us, removed this reproach from literature and political science. Nothing that is important and very little that is merely interesting about the *Contrat Social* is omitted from the present work.

The editor's introduction summarizes the facts in respect to the time and manner in which Rousseau produced his famous essay. Then follows the text of the work as published at Amsterdam in 1762, accompanied by annotations consisting of parallel or suggestive extracts from other works of Rousseau and from the great writers on politics. Plato, Aristotle, Plutarch, Machiavelli, Hobbes, Grotius, Spinoza, Bodin, Bossuet, Locke and Montesquieu are conspicuous among the writers thus cited ; and the quotations constitute a most interesting and valuable commentary on Rousseau's text. No expression of the editor's opinion, by way of comment or criticism, is

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anywhere intruded; the thought of Rousseau is illustrated only by the thought of preceding or contemporary writers on the same theme; but the editor's competence for his work is abundantly shown by the industry and intelligence with which the illustrative passages have been brought together.

The annotated definitive text of the *Contrat Social* constitutes only about half of M. Dreyfus-Brissac's volume. The remainder of the work consists of "Appendices," designed to show, still without intrusion of the editor's personality, the process through which Rousseau's essay came into form and publicity. Here is given in full the first sketch of the *Contrat Social*, as contained in the autograph manuscript in the library at Geneva; also extensive extracts from Rousseau's manuscripts in the library at Neuchâtel, and from his other writings — the *Discours*, the *Économie Politique*, *Émile*, and the *Lettres de la Montagne* — where these deal with the subject of political philosophy. The "Appendices" contain also certain comments of Rousseau on the Abbé de St. Pierre's *Projet de Paix Perpetuelle;* some extracts from letters showing the feeling of Jean Jacques toward the Protestants; and finally the opinion of the Genevan law officer on the *Contrat Social* and the *Émile*, with the resulting decree of the government condemning the works and their author.

In connection with the legal opinion given, it is interesting to notice that the official critic manifests a high appreciation of Rousseau's genius, while condemning its expression in the two works. The principal indictment against the *Contrat Social* is based on Rousseau's contention that liberty is only secure when periodical assemblies of the people are held to pass upon the form of government and the conduct of the magistrates. These periodical assemblies, it appears, are "expressly forbidden by our laws," and the critic holds that they "render liberty more oppressive than servitude itself." Rousseau's treatment of the Christian religion forms another, but rather a secondary count in the official indictment of his work. Taken as a whole, however, it must be confessed that Attorney-General Tronchin's judgment on the *Contrat Social* is distinctly more complimentary than that of Voltaire, which concludes the volume before us: "This *Social* (or unsocial) *Contract* is distinguished only by some coarse abuse of kings by the citizen of the free town of Geneva, and by four insipid pages against the Christian religion."

WM. A. DUNNING.

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History of the United States from the Compromise of 1850. By JAMES FORD RHODES. Vol. III: 1860–1862. New York, Harper & Brothers, 1895. — x, 659 pp.

The period from the election of Lincoln to the battle of Shiloh engages the attention of Mr. Rhodes in this volume. To his narrative of the political history he prefixes a chapter on the social and economic conditions of the country from 1850 to 1860. The propriety of reserving American social and economic growth for treatment independent of political history, particularly in a work of such detail as the present, is open to question. This method affords an easy solution of some of the difficulties of historical composition, and it furnishes a pleasant interlude in the progress of the political tragedy; but it has difficulties of its own. In particular, it keeps apart some things that belong together. Mr. Rhodes calls attention to the fact that even in the years of eventful political strife, from 1850 to 1860, there was a routine of daily life. Men did something besides discuss politics. He explains the purpose of his introductory sketch in these words: "Yet when the story has been told, we see that the whole life of the people has not been described. To fill out the picture is the object of this chapter." With apologies for touching on the matter at all, the author dismisses with a few words the population and the material progress of the people. He acknowledges some force in the scholar's objection that bigness is not greatness; but he meets this by calling attention to the fact that this material development has had an effect in promoting the education and well-being of the masses.

By treating the matter in this way, Mr. Rhodes has missed the real justification for an account of the material growth of the country in the epoch that led to the Civil War. Political ideas, institutions and policies are always related to social and economic forces, and in America at this time they were the very fruitage of those forces. The slavery struggle rose to dominant importance in this decade because population grew so fast and spread so far. The peculiar problems presented by the slavery question came because ours was not a stationary, but an expanding nation. Such phenomena as the tremendous increase in railroad building, interstate migrations, occupation of the prairies and plains, meant intercourse between sections, and a struggle for ascendency between irreconcilable institutions. In this tendency toward national uniformity, and in this forward movement of population, lies the explanation of the slavery struggle and of the downfall of state sovereignty:

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"physics prevailed over metaphysics." A survey of the economic resources and industrial aspects of the two opposing sections on the eve of the war, would have been most desirable in Mr. Rhodes' work.

Even if he were aiming merely to write a history of the slavery struggle, and not a history of the evolution of the American democracy in this era, he would have been justified in a full and systematic account of the development of American society in the *ante-bellum* period; but this Mr. Rhodes has not given us. Such an account should, for example, trace the progress, and the political and social results, of the spread of men from New England and New York into the Northwest. Only by such a study do the location and activity of the Free-Soil and Republican parties become fully intelligible. The relations of the populations on the upper waters of the Mississippi to those at its mouth should be traced, and the expectations of the South with respect to Western support should be set forth. The historian should describe the process by which the commerce and the political thought of the West were changed from Southern to Eastern connections by the development of railroad systems. A similar study of interstate migration and of the development of cotton culture is needed to explain the passing of political power from Virginian leaders to those from South Carolina and the Gulf states. In this connection may be noted, also, the author's comparative inattention to the political history of the states, so important to a full understanding of the political thought and action of the nation. Such illustrations suffice to show that on the side of the social development of America, the work of the author has serious limitations.

Mr. Rhodes is at his best, in this volume, in dealing with the fluctuations of public sentiment, and with the personal motives and policy of political leaders. Here his methods and results are a permanent contribution to our history. He relies upon a wide range of authorities. He uses newspapers with discretion, testing their value by the character and authority of the editors. He draws upon the correspondence, journals and memoirs of leaders in science, literature and politics to show the drift of sentiment, Northern and Southern, English and American. The interchange of views between Englishmen and Americans in the days when England hesitated between peace and war with this country makes interesting reading at present. The author gives a forcible presentation of the self-restraint of the English people at a time when moral sentiments and economic interests were opposed.

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In considering the perplexing problems of these two eventful years, Mr. Rhodes exhibits independence of judgment and a sense of fairness, which the period so much demands. As was to be expected, he is far less familiar with Southern than with Northern conditions. He presents in detail to his reader the process by which he reaches his conclusions, and does not hesitate to make free use of footnotes. The care which he takes in this respect interferes with literary excellence; on these pages the narrative does not flow rapidly or smoothly. If Mr. Rhodes occupied a professor's chair, it would be easy to say that the work had come too fresh from the seminary table and needed to go to the literary workshop. But where events lie so close to the present, and where the historian is pathmaker through thorny tracts, he does well to watch and justify each step. The contrast between the methods of Mr. Rhodes and Dr. von Holst in presenting the history of these years is striking and instructive. Dr. von Holst, having gathered his apparatus of Congressional debates, periodicals and books, and having with this data reached a positive opinion on the merits of the political question itself, stands like a statesman in the forum, and delivers his *Ceterum censeo Carthaginem esse delendam* with force and sternness of judgment. Mr. Rhodes, on the other hand, with a larger accumulation of material, works toward an estimate of the concrete personal and political influences that led to a given result, and is not so much concerned to express an opinion on the merits of the constitutional controversy.

Some of the judgments of the author may be mentioned. He is an admirer of Attorney-General Black, whom he believes entitled to American gratitude. In reaching this conclusion he passes lightly over Black's opinion of November 20, wherein Buchanan found warrant for laying emphasis on the illegality of coercing a state, and dwells on the memorandum of December 30, which recommended the reënforcement of Fort Sumter. Perhaps more emphasis might have been given to the fact that the views of both Buchanan and Black in the earlier stages of the issue, and the former's hesitancy to act, were in large measure expressive of a sentiment not uncommon in the North with respect to coercion and state sovereignty. As late as 1859, so nationalistic a state as Wisconsin denounced as void and of no force the action of the federal supreme court in reversing a decision of the Wisconsin court, and its legislature adopted the language of the Kentucky Resolutions, and declared that a "positive defiance" was the rightful remedy. It is Mr. Rhodes's view that if

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Lincoln had espoused the Crittenden Compromise, Seward would have been quite ready to do so, and that the project would have passed. He believes that a majority of the people of the United States were in favor of the plan. He rejects the theory which explains the secession of the South as brought about by a conspiracy of leaders in violation of the wish of the majority in the Southern states. It is his belief that while the majority may have hesitated longer in the hope of a compromise, the action finally taken met with their approval.

In dealing with the military operations of the period, the author is judicious; but he cannot be said to give promise of unusual power, either critical or descriptive, in this part of his task.

UNIVERSITY OF WISCONSIN. FREDERICK J. TURNER.

The Industrial Evolution of the United States. By CARROLL D. WRIGHT, LL.D., United States Commissioner of Labor. Meadville, The Chautauqua-Century Press, 1895.—352 pp.

This little book is admirably adapted for its purpose as part of the required reading of the Chautauqua Literary and Scientific Circle. Mr. Wright's long experience as head of the Massachusetts bureau of statistics of labor, and commissioner of the federal department of labor, has familiarized him with almost every phase of industrial life and given him a command of information vast in extent and accurate in detail, such as few men possess.

We can trace in many chapters the results and conclusions of former investigations, such as that on wages, conducted by the Massachusetts bureau of statistics of labor in 1884–86; those on manufactures, reported in the industrial censuses of Massachusetts; that on the factory system, in the tenth census of the United States; those of the federal department of labor on industrial depressions (1886), on strikes and lockouts (1887), on cost of production (1890–91), and on prices (1892); and that of the commission appointed to investigate the Chicago strike (1894). The book is, therefore, not a new and original economic history of the United States, but rather the summarized expression of the impressions of a man who for twenty-five years has busied himself with the facts of economic history and economic life. In this lies both the strength and the weakness of the work — its strength, in the fullness of knowledge with which the author speaks; its weakness, in the overshadowing (to say the least) of the great features of the evolution by

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the mass of details. It is only fair to say, however, that in his preface Mr. Wright has disclaimed the more ambitious task of discussing all the results of such an evolution, and has voluntarily confined himself to a "plain, simple statement of the leading facts attending the planting and development of the mechanical industries of our country."

In the first two Parts, tracing the evolution of industry in the United States, the author is true to his program. He gives a detailed history of the technical development of certain leading industries, such as ship-building, and the manufactures of cotton, wool and iron, and adds statistical comparisons showing the increase in products, in number of persons employed and in wages paid. Either of these methods is apt to be rather dry and tedious, but the author has enlivened the narrative with many associated facts, so that it carries the reader with considerable ease through a great quantity of statistical figures and dates.

Part III, "The Labor Movement," introduces us to some of the more important results of the development of mechanical industry, *viz.*, labor organization, labor legislation and labor controversies, ending with the Chicago strike of 1894. The treatment of these subjects, while sympathetic towards the workingman, is on the whole fair and candid. It might be urged, perhaps, that while defending so warmly the right to strike, the author might have said something more of the evils of violence, boycotting and sympathetic strikes, and of the right to freedom of employment on the part of the non-union men.

Part IV, "The Influence of Machinery on Labor," is philosophical. Mr. Wright inclines to the opinion that machinery creates a demand for more labor than it displaces. The figures of increased *per capita* consumption cited on page 337 do not logically prove this point, for it has already been shown that machinery may increase the product while diminishing the number of laborers. The statistics of the increased number of persons employed and the rise of entirely new industries (*e.g.*, the manufacture of electrical supplies) are, however, pertinent and extremely interesting. On the other hand, the fact that the number of persons engaged in gainful occupations increased 176 per cent from 1860 to 1890, while the population increased only 99 per cent, seems to me to be of doubtful significance as regards its effect on the condition of the laboring class. May it not mean an increased employment of women and children, or an increased supply of labor due to immigration? So too, the bald

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statement (p. 341) that the wage-earner has not received his just and equitable share of the economic benefits derived from the introduction of machinery, seems to need some support, especially in view of the facts about increase of wages and decreased prices cited before. But here we are trenching on that broader field of generalization in regard to the meaning of the economic evolution which Mr. Wright refused to enter.

The illustrations (wood-cuts) are often interesting. Their introduction as mere "pictures" without reference to the text is, however, insulting to the intelligence of the Chautauqua readers. For instance, the chapter on "The Ethical Influence of Machinery" is adorned with a cut of a twenty-two-story "sky-scraper" in Chicago!

RICHMOND MAYO-SMITH.

The Finances of the United States from 1775 to 1789, with Especial Reference to the Budget. By C. J. BULLOCK. Bulletin of the University of Wisconsin. Madison, Published by the University, 1895. — viii, 273 pp.

It is difficult to express a judgment on this book without appearing unnecessarily harsh. It may be admitted at the outset that the author has read widely and diligently: there is hardly a printed source of information which he has not consulted and drawn upon. When this has been said, praise must end and criticism begin; for in form and matter the essay lacks what alone can make a true history of the subject. The collection of a large number of financial facts, figures and opinions is of little value without a proper arrangement of such materials and a logical development of their relations. Mr. Bolles, who has told us all that Mr. Bullock tells, possessed a wider knowledge of applied economics, but nevertheless so used his materials as to produce an unsatisfactory work. It is possible, for example, to enumerate in one chapter all the various resorts by the Continental Congress to paper money; but such a chapter would be of little value unless it explained the cause and effect of each issue. The first bills of credit were a measure of necessity, but had no necessary and immediate connection with the second issue of similar bills. It was because the Congress failed in its efforts to raise revenue from lotteries, taxes, requisitions in money and in specific articles, sales of public territory and other expedients, that it returned again and again to paper money. Neither Mr. Bolles nor Mr. Bullock has appreciated the connection and relation of these various expedients.

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In the first part of the essay, which is intended to give the history of the public finances to the adoption of the constitution, great stress is laid upon the figures given in the printed journals of Congress and in Treasury reports issued subsequent to the adoption of the constitution. The labor expended in reconciling the different statements and estimates is great and is at times ingeniously applied; but it is difficult to see any result commensurate with that labor. It cannot be said that the differences are reconciled or explained; it cannot be said that any policy in Congress is outlined or consistently applied; yet from the very beginning of the Revolution — even in colonial days — experience unerringly pointed to the need of a central power possessed of authority to tax for national purposes. Without this clue the finances of the Revolution and of the Confederation are inexplicable, and form a mere collection of experiments and failures out of which, it is asserted, sprang a fully developed and remarkably adequate organization of our finances. The student of history knows that no such leap can be taken. What is, is merely the outcome of trial and experience, related to the past in a hundred ways.

Mr. Bullock fails similarly in his interpretation of the purely administrative side of the Confederation. No trained financier was needed to utter solemn warnings against the issue of bills of credit, for colonial experience of the evil was fresh in the minds of the people. No financier uttering such warnings would have been listened to, because the colonies had sought year after year to issue bills in spite of royal prohibition, and were ever alert to circulate promises of the state which could benefit only debtors at the expense of creditors. The great need was for a man with business capacity; although even such a man must have failed, because he would have lacked the necessary correspondence between power and responsibility. To create committees was natural, and to place merchants on those committees was more than natural; for it was from abroad and through commercial transactions that the greatest assistance was expected. Had a general revenue system been introduced, these committees would have existed throughout the war, but without revenue they became useless. The recommendations of 1778 simply marked the approaching collapse of an expedient, and by no means deserve the high praise bestowed upon them by our author. The want of wisdom in Congress is, moreover, shown by its wish to invite Dr. Price from England to take charge of its finances. A partial return of reason, enforced by absolute bankruptcy, led to

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Morris's appointment as financier, but too late to accomplish anything more than to prove that a hard-headed man of affairs could succeed where a council of lawyers, politicians and merchants failed. The results attained by Morris were financially small, but politically great, and bore fruit in the constitution of 1789. Much praise is naturally given to Morris for what he did, but praise could have been more justly given him because he exemplified the spirit and intelligence which led up to the Hamiltonian system of finance, on which the present Treasury methods are based. In the facts collected by Mr. Bullock a reasonably consistent development of financial theory and financial administration may be traced; but in their present form they lack the cohesion required in a true history.

Mr. Bullock praises the "certain fundamental unity in budgetary procedure" in the United States. That this unity, or balance, between expenditure and revenue is the very quality that is wanting in our national finances, is proved by the experience of the United States since the war. The cutting off of revenue has been as unmethodical as the imposition of taxes; and reckless reductions in revenue, often colored by political motives, have brought the government more than once to face a deficit. In this respect the United States could learn much from England. When the chancellor of the exchequer finds a surplus, even if it be small, he suggests a reduction or modification of taxes, which will lop it off; and he meets a deficit in a similar way. The balance between revenue and expenditure is thus preserved and a great moral principle of taxation maintained — that no money should be taken from the people beyond what is intended to meet the necessary and legitimate expenditures of the government. Our own system is directly contrary. For years there was taken from the people by taxation $100,000,000 a year above the needs of the government; and when the dangers of such a surplus were fully appreciated, radical legislation rushed to the other extreme by producing a deficit of $60,000,000 a year. I doubt if there is any feature worthy of praise in such a system.

The strongest criticism which can be brought against this essay is its lack of reference to the most important source of Revolutionary history — the manuscript records of the Continental Congress. In these records are to be found the full reports submitted by the boards of treasury, by committees of Congress, and by financial agents, none of which have as yet been published. The journals of Congress often contain the recommendations of a committee, but omit what is of even greater importance — the preamble giving the

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reasons of the committee for making the recommendations. The lengthy reports on currency depreciation, on the laxness of the states in paying taxes, and on the pressing demands of the army, are matters of high import, on which only side lights can be obtained from printed records. The manuscript material would modify in many particulars the conclusions of Mr. Bullock as well as those of Mr. Bolles. There are many points in Mr. Bullock's essay which prove his capacity for careful research; and there are many points which demonstrate his inability to arrange his matter so as to produce necessary, because logical, conclusions.

WORTHINGTON C. FORD.

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Money and Banking. Illustrated by American History. By HORACE WHITE. Boston and London, Ginn & Co., 1895. — vi, 488 pp.

Mr. White has undertaken to give us a complete theory of money and banking, based on the lessons taught by the financial experiments of the American colonies and of the United States. This plan has obvious advantages, among which by no means the least is the fact that it may turn to good account some of the prevalent unreasoning pride of country. Of course, the primary result of such an appeal to the patriotic instinct — of the adult reader and of the younger student alike — is to stimulate interest in an otherwise dry discussion of vital but much neglected principles. Beyond this, however, it may have the unsought but equally valuable result of adding to the number of those who believe that "our country" is somewhat less than "always right." Our forefathers certainly bought a very complete stock of experience, and Mr. White hopes to bring us to appreciate our inheritance by showing us its fearful cost. Naturally, when so able a writer, with abundant material, adopts a method calculated to rouse the interest of his readers, we expect a noteworthy book. This we have; but in later editions, which are sure to follow, we may hope to see many improvements. As yet, while the book is good, it is not as good as Mr. White can make it.

The desire to see the possibilities of the subject, the method and the writer more fully developed, must be the excuse for dwelling at the outset on some points of detail. The book is addressed not to scholars, but to students and to that part of the public which seeks a simple exposition of the fundamental principles of monetary science. For such readers Mr. White's style is, in the main, admir-

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ably adapted; it is clear, concise and straightforward. At times, however, he lapses into expressions that are more appropriate to the daily press than to more dignified forms of publication; and sometimes he falls into bad usage, or even into obscurity. Examples of confusion, resulting from careless grouping of sentences in paragraphs, occur on pages 30, 166 and 260. The worst of such cases is, perhaps, that peculiarly involved paragraph spreading over pages 331, 332 and 333, which begins by contrasting the "banking" and "currency" principles, passes thence to a description of the practical operation (in detail) of the Suffolk Bank system, adds a discussion of the regulation of reserves in Massachusetts, and ends with a comparison of laws regarding reserves in several New England states.

The same paragraph illustrates another tendency of Mr. White — to forget that his book is to be read by many persons not able to understand allusions which may seem to him most simple. A similar case is found on page 417, where, in speaking of the practical operation of our present banking system, he says: "The only favor the bank does in the premises is to stand between the people and a better kind of money, to wit, gold, or gold certificates." Even though experts may see at a glance exactly what he means, most certainly the sentence will be to nine readers out of ten a tantalizing puzzle.

The arrangement of the work is, in general, logical. On the first page Mr. White lays down the principle of division into "Parts," for he draws a sharp line between "real money" (a commodity) and all its representatives or substitutes. Part I, treating of "Money," is subdivided into two "Books," dealing respectively with the "Evolution of Money" (mainly with reference to American experience), and with "The Gold Standard" (largely with reference to European experience). Part II, treating of "Representative Money," is, in turn, subdivided into a "Book" on "Fiat Money," as developed in colonial, continental and federal currencies; and a second "Book," wherein is traced in some detail the history of banking in the United States.

In detail, the arrangement is sometimes open to criticism. The chapter on the quantity theory, for example, seems hardly in place at the conclusion of a history of American banking, even though it serves to introduce an extremely valuable quotation from Professor Dunbar upon the part banks may play in any process of inflation. Nor does any adequate reason appear for giving an exposition of

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Gresham's Law in an appendix rather than in any one of several appropriate places in the body of the work — as, for example, where he speaks (p. 118) of the exportation of specie.

Into the chapter on the "Mechanism of Exchange" are crowded many miscellaneous bits of information — important, but hard to classify. The necessary lack of unity has, however, been intensified by introducing, without apparent reason, discussion of such questions as the expediency of the payment of interest on deposits, and of the character of the Scotch "cash-credit" system. The same error — the introduction of details not essential to the development of the dominant idea — mars the first chapter of the work.

Some of the omissions of Mr. White are worth noting. He fails to utilize to the best advantage the experience of our own generation, when he passes hastily (p. 247) over the temporary currency which sprang up during the crisis of 1893. Not only was that phenomenon curiously interesting, but it might furnish a vehicle for conveying to the minds of readers some fundamental truths about currency. Again, in speaking of the percentage of cash used in daily wholesale trade (p. 435), he ignores the recent instructive, if confessedly incomplete, investigation into the percentage of money used in retail trade. In referring to the alleged dangers in payment of interest on deposits by banks of discount (p. 428), he loses the chance to show the peculiar weakness of our system of bank reserves, which has led our bankers several times to protest against this practice. Finally, in two places (pp. 244–6 and 444) he fails to emphasize sufficiently the all-important psychological element in the rise and the treatment of panics.

Mr. White's general attitude on the great questions of monetary science is perfectly well known; he is an uncompromising enemy of greenbacks and silver, and an earnest advocate of a currency based on the "banking principle." The vigor with which he has worked for a sound currency commands our respect, but we are not surprised to find that in becoming an advocate he ceases at times to be a scientist. This ascendency of the advocate may be noticed, among other places, in his discussion (p. 107) of the gold standard as the result of a purely evolutionary process, dependent mainly on the physical characteristics of the metal. So, too, the advocate masters the scientist where he refers (p. iv) to the "normal and proper business" of the government as that "of collecting and disbursing the public revenue." Such seeming dogmatism, which may seriously cripple the usefulness of the book among those who like fair play, is perhaps seen at its

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worst on page 123. There Mr. White by implication asserts that all Populists belong to either "an active speculating class" or a "shiftless debtor" class.

For teachers the book may be made distinctly more serviceable if Mr. White will supplement his excellent bibliography by giving at the head of each chapter a list of authorities. He will thus escape the necessity of breaking into his narrative (as on page 379) to refer to his sources, and will give real aid to many users of the book.

So far attention has been directed mainly to those points of detail wherein improvements seem desirable. It is much easier and more agreeable to point out some of the merits of the book. In his phrases Mr. White is often felicitous; as, for example, when he says (p. 224) that "silver dollars are metallic greenbacks," or when he asserts (p. 24) that "the whole science of money hinges" on the fact that "all trade is barter." His descriptive passages, also, are often admirable; as, for instance, his comprehensive summary of our present banking laws (pp. 409–14), and his *résumé* (p. 39) of the kinds of legal-tender money in the United States. In furnishing pictures of various coins and bills of credit, and of the "clearing-room" in the New York clearing-house (with a description of the daily operations therein), he has commended his book to teachers. By describing the "Gold Room" (p. 174), and the process by which California maintained gold payments, he supplies information which has hitherto been practically inaccessible to the public. Above all, he has set forth in convenient form the experience of the world with gold and silver as standards, and the history of banking in the United States. Either of these last two achievements alone would have assured for the book a decided success.

Comparing parts of this book with the work of others who write with authority in this field, we must own that it suffers. For example, Mr. White's story of the evolution of money is not comparable with the lucid exposition of Jevons; nor his history of recent financial events in the United States with Professor Taussig's masterly summary in Shaler's *The United States;* nor his analysis of banking operations with Professor Dunbar's. But he has combined many of the best qualities of these special works in such a way as to make for the average American reader, and for the average American student, the most readable and the most instructive book covering the field of money and banking.

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The History of Currency, from 1252 to 1894. By W. A. SHAW, M.A. New York, G. P. Putnam's Sons, 1896. — 437 pp.

Mr. Shaw's work will be used for its collation of documents and data, rather than for its style or popular interest. As a repository of information on bimetallism (to which phase of the currency problem it is expressly limited) the book is very valuable. What Mr. Shaw proves quite conclusively is, first, that no nation, from the first minting of Florentine gold coin in 1252 A.D. to the repeal of our Silver-purchase Law in 1893, has ever been able to keep gold and silver coinages at parity; second, that a shifting ratio has always brought upon the country with an undervalued coin the most serious industrial distress.

The latter demonstration is by far the more impressive and useful of the two. Its application may be made as certainly to the United States of 1895 as to the France and England of 1600. The chief merit of Mr. Shaw's work is the light thrown by its narrative on the process through which this mischief operates. Before the development of international exchange, a mistaken ratio resulted in absolute depletion of a coinage, either through total loss of currency or through substitution of clipped and mutilated money. But the $360,000,000 gold export from the United States within four years, and the substitution of paper money (equivocally based in part on silver) for gold in the nation's bank reserves, are results entirely similar in principle. The expanded methods of international exchange and the use of the legal-tender function have altered the application of the law and to some extent confused its aspect. But the cause, the incidental phenomena and the monetary result are virtually identical in the movement of to-day and in that of three hundred years ago. This may readily be illustrated. In both periods, foreign credits have been drained away continuously in the best coin of the community. In both, outcry against the dealers in exchange has been continuous; Wall Street can testify to that to-day, though the old-fashioned penalties of fine and imprisonment have been reluctantly abandoned. In both periods, distress has followed in all the markets, the one cause recognized instinctively by business men being derangement of the currency and the resultant specie exports. Indeed, as a further parallel, the proposed laws of the fifteenth and sixteenth centuries, that merchants importing foreign goods be compelled to pay for them in domestic merchandise instead of in specie, may be placed alongside a statute now on the calendar

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of Congress, which its authors guarantee will stop in a twinkling purchases of foreign merchandise with gold.

Another useful demonstration from Mr. Shaw's account of currency disturbances is the fact that actual surplus or deficiency in the world's supply of precious metals does not regulate the matter. Writers of Edward VI's day in England describe "such poverty everywhere" under the ill-adjusted bimetallic ratio "that few men have so much to spare as they may give anything to the reparation of ways, bridges and common easements." Cities "heretofore well inhabited and wealthy" are "fallen for lack of occupiers to great desolation and poverty." This was half a century after the discovery of America, and thirty years after the new supplies of gold and silver were perceptible in English currency. The writer quoted (probably Latimer) lays his finger with the shrewdness of a nineteenth-century economist on a disturbed bimetallic parity as the root of all the mischief. Elizabeth's recoinage restores only a season of commercial ease, for the ratio presently breaks away from that fixed by her financiers. Under James I and his successors, in the very face of the vast increase in Europe's monetary supply, the same story is repeated: drain of precious metals, malicious mischief by the exchangers, need of statutes to prevent export of coin, and industrial confusion. The secret was, of course, that the Continental ratio happened to be nearer commercial parity than England's. Only on the completion of the second currency reform, under William III, does trade return to equilibrium. This persistence of such phenomena, in a commercial state, during two whole centuries after the discovery of America, is very significant to students of the last half-century. It has its bearing on our own repeated currency convulsions of the last four years, in the face of a gold production increasing annually by $20,000,000.

Bimetallism by statute in the nineteenth century, is for various reasons a more confusing field to traverse. The experience of France in particular is likely to remain a disputed battle-ground. Yet in the end the Latin Union certainly had to raise the signal of surrender; and the most ardent bimetallist can hardly draw from that episode any more positive conclusion than the feasibility of international bimetallism — always providing there are sufficient parties to the pledge, and a strict adherence to its terms. This supposition again ignores the very essential fact that the Latin Union was a combination not alone financial, but political and racial, a fact which hardly clears the ground for so heterogeneous an

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alliance as one including Great Britain, Germany, France and the United States.

On the Latin Union episode Mr. Shaw merely sums up the results of recent controversy. He produces, however, a variety of less familiar pieces of information on the break-down of the bimetallic system in other Continental states — notably Germany, Holland and Portugal. Germany, up to 1838, presents a picture of industrial chaos and paralysis quite similar to the situation of Europe as a whole two centuries before. The commercial isolation of the few great seaboard cities from the German communities of the interior is as marked in the history and literature of 1840 as in that of 1640. From 1838 to the Franco-Prussian war, we have a series of conferences, appeals, shifts and changes in the ratio, and finally the adoption of gold monometallism in 1870. How far the memorable awakening of German commerce and finance in the last quarter-century had its origin with the adoption of that single standard, and how far with political reconstruction only, may be left for historical critics to determine. But it will hardly be questioned that the nation's present financial prestige could not possibly have been built up on the shifting sands of 1830, with or without the recent violent breaking away of the silver ratio. The patent fact is that each successive nation which has adopted the gold standard on a scientific basis, has thenceforward enjoyed immunity from currency disturbance.

Mr. Shaw's work is on the whole well constructed. Its index is perhaps less complete and systematic than a standard of authority deserves. A few defects in the text ought to have been avoided. The word "prices" is used somewhat at random to describe both the market movement of commodities and the mint rate or tariff on coins, and this notwithstanding the limitation of the word, in a note on page 59, to rating of coins. The result is often confusing to the reader. "Rate of exchange" is similarly used, and quite superfluously, to denote the ratio of gold to silver. The vocabulary of finance is certainly wide enough to avoid such complications. Reference to increased currency as the basis not only of commercial progress, but of even that "literary growth and expansion which have made the Elizabethan age the glory of our history" (p. 133), and description of gold as being "through all history the most potent factor in civilization" (p. 3), smack rather of Sir Archibald Alison than of a mature-minded contemporary investigator. But these are minor faults.

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Public Finance. By C. F. BASTABLE. Second edition, revised and enlarged. New York and London, Macmillan & Co., 1895. — xx, 716 pp.

The Science of Finance. By GUSTAV COHN. Translated by T. B. VEBLEN. The University of Chicago Press, 1895. — xi, 800 pp.

Natural Taxation. An Inquiry into the Practicability, Justice and Effects of a Scientific and Natural Method of Taxation. By THOMAS G. SHEARMAN. New York and London, G. P. Putnam's Sons, 1895. — 239 pp.

The second edition of Professor Bastable's *Public Finance* contains some forty additional pages, and is in some respects even better than the first. Not the least useful addition for practical purposes is an index. Merely bringing the book down to date was a matter of some importance, for the three years which intervened between the two editions were eventful ones in the world of finance. The legislative changes of those years involved such mooted questions of principle as progression and differentiation, and showed certain well-defined tendencies. The revision of the death duties and changes in the income tax in England, the reorganization of the tax systems of Prussia and Holland, and the ill-fated attempts in America to establish an income tax for the federal government and a progressive inheritance tax in Ohio — all took place in the interval, and called for amendments or additions.

There are two new chapters, one treating of "The Canons of Taxation," the other of "Taxes on Successions." In the former, which takes the place of a brief appendix in the first edition, the author examines the maxims of Adam Smith, Sismondi, Wagner and others, and after separating the wheat from the chaff suggests that six rules are worthy of retention, namely, the canons of productiveness, economy, just distribution, elasticity, certainty and convenience. The other new chapter is expanded from a few sections which in the first edition were included in the chapter dealing with "Taxes on Communications and Acts." The author approves of inheritance taxes only within moderate limits, and hence cannot sanction the recent increase in the English death duties. He maintains that high inheritance taxes tend to diminish capital and discourage saving, press heavily upon direct heirs, and result in evasion. These arguments against high rates he applies also to progressive rates.

Professor Bastable is magnanimous enough to acknowledge his

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indebtedness to his critics, but it is only in some very minor points that he has adopted their suggestions. For the terms forward and backward *incidence* he has substituted the more correct expressions forward and backward *shifting*, and the treatment of international double taxation has been slightly expanded. But in other cases the author replies to his critics in footnotes, and leaves the text unaltered. In three and a half pages of fine print he defends his original classification of public revenues against the criticism of Professor Seligman, and declines to give a prominent place to fees and special assessments. He has, however, after reading Dr. Rosewater's monograph on *Special Assessments*, added a section on that topic to his chapter on local taxation.

In his new preface Professor Bastable makes the significant prediction that the chief points of controversy in the near future will refer to local finance; but except for the two or three pages devoted to special assessments, there is no corresponding recognition of the importance of municipal problems in the body of the work. Neither in the classification nor in the chapter on local revenues is there any mention of revenue from municipal franchises; it is not even suggested whether the receipts from this source are to be considered as corporation taxes, license fees, rent, or the profits of a delegated municipal undertaking. It still remains for some one to develop a complete theory of municipal economy.

Number one of the Economic Studies of the University of Chicago is a translation, by Dr. T. B. Veblen, of Cohn's *Science of Finance*, approved by the author after a reading and revision of the proofs. It is not to be expected that the brilliant style of the original could be retained in the translation; but Dr. Veblen has succeeded in the difficult task of making a German philosophical work readable to Americans. In so doing he has performed a real service, for the work deserves to be more widely read than it ever would have been in German. It is not a discussion of taxation merely, but a comprehensive treatise on public economy. There are some weak spots in Dr. Veblen's English rendering, due to an over-close adherence to the German. Few Americans, for instance, would recognize in the "contribution" our "special assessment." Book III, which described the German tax system of seven years ago, is omitted from the translation because of important changes introduced by subsequent legislation. The wisdom of this omission is doubtful; for the historical, if now superseded, practices described therein are of the utmost value to the American student.

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At the Washington meeting of the American Economic Association in 1890 Mr. Thomas G. Shearman read a paper which he entitled "Crooked Taxation." That was the vivid and opprobrious name which he applied to indirect taxes, whether tariff or excise. To this paper he has now added equally severe indictments of the taxation of personal property and improvements, concluding that the only "natural taxation" is the tax on land values. He includes, however, the taxation of railroads, telegraphs and municipal monopolies, showing that their franchises involve the right to use strips of land. The book is of interest as an authoritative presentation of the claims of the "single tax, limited." Mr. Shearman's method and point of view differ widely from those of *Progress and Poverty*. He begins by showing the vulnerable points in existing systems of taxation, and proposes the tax on land values not for the purpose of abolishing landlords altogether, but merely as a much needed tax reform. In opposition to many critics of the single tax, he calculates that all needed revenue would absorb less than one-half of the unearned increment.

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Eighth Biennial Report of the Bureau of Labor Statistics of Illinois: Subject, Taxation. Springfield, Ill., State Printer, 1895. —xi, 491 pp.

For a bureau of labor statistics to devote an entire volume to the general property tax might seem, at the first blush, a work of supererogation. Not so, however; for the industrial salvation of the state of Illinois it is a work of necessity. The wage-earners of that state are in a condition of "industrial poverty," and "while the poverty of individual workingmen here and there may be explained by personal vices, industrial poverty cannot be so explained." "Tyranny" is "the cause of industrial poverty," and taxation is "the chief instrument of tyranny." Under such circumstances, it was clearly the duty of the bureau to "investigate and expose, in the interests of what is commonly distinguished as the laboring class, the liberty-destroying methods of taxation that prevail in Illinois."

By a large part of the newspaper press the present investigation and exposure, being the work of Governor Altgeld's appointees, will doubtless be dismissed with some wise remarks about socialists and anarchists. Nor can it be denied that the *Report* yields itself readily to flippant treatment; indeed, it almost invites ridicule. Still, in spite of the frequent crudity of its reasoning, and the general extravagance of its language, considerable portions of it deserve attention.

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The *Report* is divided into three parts. The opening part first justifies, in the style above indicated, the bureau's choice of a subject for investigation. It attempts further to show the superiority of "benefit received" over "ability to pay" as a basis for the distribution of all taxation. And it closes with a brief account of the legal provisions regarding the general property tax in Illinois. The second part, curiously called "Analysis of Tables," gives a mass of figures regarding the true and the assessed value of different kinds of property. The third part is devoted to "Evils and Remedies." The evils are the well-known deficiencies of the general property tax; the remedies resolve themselves into one — exclusive "site value taxation," with local option in taxation as a short cut thither.

The *Report* examines the operation of the property tax in great detail. The familiar under-assessment of all property is once more detected; the well-known escape of personalty is again pointed out; and the expected discrimination in favor of Chicago appears. Nor is the subsequent comparison of the assessments upon different sorts of property altogether novel. But the exceptional value of buildings as well as of land in Chicago, and the praiseworthy liberality with which the "primary tables" of situation, area, ownership, valuation, *etc.*, for each parcel of land and for each building are here printed at full length, impart to this Illinois *Report* an interest of its own. For example, the third chapter of Part II (with its primary tables on pages 401–430) enumerates "in detail every sale of property coming under the investigation of the Bureau, . . . giving the amount of the consideration as expressed in the warranty deeds, as of record in the office of the Recorder of Cook County, and the assessment of the same property for each of the years in which the property was sold." The area thus investigated extends from Fullerton Avenue south to Thirty-ninth Street, and from Western Avenue east to Lake Michigan. The examination covers the years 1870–1894, the number of sales tabulated is 3297, the average selling price of the properties is $11,032. How the searchers of the records discriminated full from partial considerations, the *Report* neglects to say. Taking the figures, however, as they stand, the equalized assessment varied from six-tenths of one per cent to one hundred and seven per cent of the selling price, and averaged 19.64 per cent of it — an average fully as high as the common fame of Chicago assessments would lead a stranger to expect.

There was also undertaken an investigation of the value of the buildings in the same area, the method being to add "25 per cent,

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the usual allowance for excess, to the estimate of the building permits" for the years 1876–1893. In view of the rapid depreciation in the value of the older Chicago buildings, due not only to wear and tear but also to the cheapening of steel and the erection of "sky-scrapers" in the last half a dozen years, this method of estimating the value of buildings erected before (say) 1888, affords at best but an approximation to the facts. If attention be confined, however, to the buildings of the last few years, the estimate is less misleading. In the years 1890, 1891 and 1892, buildings of an aggregate estimated value of 129 millions were erected in the area in question. In 1893 the aggregate assessment of land *and* buildings was under 124 millions — less than the cost of the new buildings, and not half the local assessment of the same area in 1874. Meanwhile "solid men" of Chicago are considering how to avoid municipal bankruptcy.

The fourth chapter of Part II of the *Report* opens with an investigation of the value and assessment of seventy tall buildings, averaging ten and six-tenths stories in height.

> Estimates of the true values of buildings are based upon their cost as indicated by building department records. The true value of sites is moderately estimated from data furnished by actual sales and ground lease rentals of sites in question, or of others in the immediate neighborhood and of like character, and from the opinions of real-estate dealers and the real-estate editors of leading Chicago newspapers.

In regard to the valuations set upon sites, it is possible to check the estimates to some extent. In another connection the *Report* gives (pp. 372–379) a "partial list of long-term leases in the vicinity of Block 142," *i.e.*, the southwest corner of State and Madison Streets. Nine of the plots therein enumerated are occupied by "sky-scrapers." Their aggregate ground rental is $256,000, and the estimated value of the land is $5,220,000. In other words, the estimates are, on the average, a four and nine-tenths per cent capitalization of gross rentals. "The assessment valuations of buildings and sites taken together are matter of public record. Assessment valuations of sites, as distinguished from assessment valuations of improvements, were reported to this bureau by its agents from entries in assessors' field books." Thus the *Report* is able to compare separately the values and assessments of sites and the values and assessments of buildings.

A not dissimilar investigation is made of eight luxurious residences on Lake Shore Drive, and of nineteen more modest dwellings in

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Fillmore Street and Park Avenue. Some figures are also given for eighty cheap houses — being all sold in 1893 for $4000 or less — and for 98 vacant lots, valued by the selling price of 34 of them. The substance of the results reached is exhibited by the following table, compiled from pages 78, 79, 90, 93–97 and 99 of the *Report*:

Kind of Property.	Average.				Percent. of Total Value due to Building.	Percentage of Assessment to Value.		
	Value.		Assessment.					
	Land.	Building.	Land.	Building.		Land.	Building.	Both.
70 Office Buildings .	$816,39	$619,371	$56,075	$76,553	43.1	7.36	12.38	9.67
8 Expensive Houses	74,437	57,125	4,347	9,027	43.4	5.84	15.82	10.17
19 Smaller Houses . .	1,169	3,263	60	475	73.6	5.12	14.56	12.07
80 Cheap Houses . .	$867		$138		—	—	—	15.92
98 Vacant Lots	2,509		123		—	4.88	—	—

If the facts here tabulated be typical, the regressivity of the general property tax is not due, as often asserted, to any especial tenderness of the assessors for large property owners. Owners of the largest buildings are, indeed, somewhat favored; but, on the other hand, owners of the most valuable sites are, by comparison, somewhat overcharged. On the whole, a comparison either of land assessments with land assessments, or of building assessments with building assessments, shows a uniformity quite as great as is commonly supposed to prevail. But a comparison of land assessments with building assessments shows that buildings are assessed, on the average, nearly three times as high as land. This it is which piles up taxes on the holder of cheap property, since the value of a small dwelling, or even of a cheap store, as a rule far exceeds the value of its site, whereas in the case of the "sky-scrapers" the relation is in general reversed. Indeed, one is surprised at the inadequacy of even the tallest buildings as tools for the cultivation of a modern business site. The Unity Building bears the highest proportion to its site value of any of the seventy described, *viz.*, 19 to 8; whereas an investment relatively so small is rarely made upon a suburban building lot. At the other end of the scale stands the Grand Pacific Hotel, which was recently closed because of the impossibility of working its four-million-dollar site with a tool worth but seven hundred and fifty thousand dollars.

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No space remains to follow the *Report* in its examination of the concentration of land ownership in the business center of Chicago. Of the three hundred and fifty-one acres of private holdings lying between Twelfth Street, the River and the Lake, about one-third in value belongs to forty-eight persons; and seven and one-third per cent of the owners have forty-two per cent of the value. "To advance much beyond this stage of concentration," so comment the commissioners, "is to reduce the laboring classes to a condition little, if any, better than serfdom" (p. 248). And yet they assert (p. 246) that, taking the United States as a whole, seventy-five per cent of land values are owned by ten per cent of landholders.

Taken all in all, the *Report* is a plea for the single tax — a plea which advances little or nothing both new and pertinent, and fails to put even the old arguments in the happiest form. But its extensive figures as to ownership and value of real estate constitute a not unwelcome addition to the apparatus for the study of rents as well as of taxation.

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Catholic Socialism. By FRANCESCO S. NITTI. Translated from the second Italian edition by MARY MACKINTOSH, with an introduction by DAVID G. RITCHIE, M.A. London, Swan Sonnenschein & Co.; New York, Macmillan & Co., 1895.—xii, 432 pp.

In this book, the first of his projected series of works on socialism, Professor Nitti has made an interesting study of the relations of the Catholic Church to the socialistic movement, and has put a great deal of material on the subject into accessible form. The book has had an extensive circulation in the original Italian edition; and is said to have been one of the causes which hastened the publication of Pope Leo's encyclical on labor, which has come to be regarded by Catholics as a quasi-constitution on the matters with which it deals. This translation is, therefore, very welcome.

As the Catholic Church can exert vast influence for social welfare, the study of its relations to the socialistic movement is one of great interest and importance. Any consideration of the practical efforts made to attain the end which socialism proposes opens up a large field, but one that does not promise the clearest and most definite scientific results. Since Professor Nitti's work describes that Catholic philanthropy of our day which aims at social rather than individual well-being, the limitations of his field are determined

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more by his opinions and bias than by anything in the nature of the subject. Like much of the literature about socialism, it lacks definiteness of scope and purpose. As Professor Ritchie says in the Introduction: "The book is not in intention either socialistic or anti-socialistic, either Catholic or anti-Catholic; but an attempt to give an impartial statement of facts." This purpose is faithfully adhered to; but one cannot help thinking that the sympathy which led Professor Nitti to undertake the work has predisposed him to look upon much philanthropic work of the Catholic church as the result of socialism — to regard much that is ordinary social activity as socialistic.

The first chapters deal with the beginnings of Christianity and its social side in the early ages. Chapter IV is interesting as an examination of the attitude of Catholicism and Protestantism towards the social problems of our day. The part which deals with von Ketteler and the German Catholic socialism is the important and most readable portion of the book, while the remainder is of minor value and less pertinent to the subject.

The point of contact of the Catholic Church with modern scientific socialism is found in the work of von Ketteler, the able and energetic bishop of Mayence. He practically accepted the program of Lassalle, whom he almost rivalled in his denunciation of the existing order. Von Ketteler emphatically declared that the wages of labor, like the prices of commodities, are determined by the minimum cost of production. His principal remedy was a scheme of coöperation, and his work, *Die Arbeiterfrage und das Christenthum*, has exerted wide influence and is still much read. The Catholic leaders like von Ketteler who, as de Laveleye says, gave the program of Marx and Lassalle a Catholic varnish, were, however, men of practical affairs and not profound students of economic science; while most of the Catholic writers who have given serious attention to economic studies, such as Perin, Le Play, Jannet and Devas, are of the conservative school and strongly opposed to state socialism.

The current of opposition in the Catholic Church to modern socialism has been stronger than Professor Nitti seems disposed to allow; but this opposition, as he states, seems not to be raised on account of the economic theories involved.

What the Catholic Church combats in modern social democracy is not the democratic spirit of fraternity and equality, but the anti-religious tendencies by which it seems to be dominated. During the period of its greatest power, the Church of Rome witnessed the victorious contest of Italian

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democracies against the wealthy and noble classes for the supremacy in Florence and in other communes, without seeing any necessity for excommunicating or opposing them [page 31].

It is not apparent, however, that the Catholic Church or any other large religious organization adopts or sanctions any special economic program for effecting a purpose which religious bodies have in common with socialists. There has of late years been great and increasing attention paid to economic studies by Catholics, but this is not a phenomenon of socialism; it is rather the result of a larger movement of which socialism itself is a manifestation. This book of Professor Nitti is the first important study of the relations of any particular church to the modern socialistic movement, and it is invaluable to all who are interested in this phase of the subject.

COLUMBIA UNIVERSITY FRANCIS W. HOWARD.

Principles of Economics. By ALFRED MARSHALL. Vol. I. Third edition. London and New York, Macmillan & Co., 1895. — 823 pp.

Studies in Economics. By WILLIAM SMART, M.A., LL.D., London and New York, Macmillan & Co., 1895. — 341 pp.

The value of Professor Marshall's great work is again attested by a new edition. The present edition presents the problem of distribution with greater fullness than did the earlier ones. An important enlargement is made in the treatment of wages, and some rearrangements and amplifications have been made in the chapters relating to the scope and method of economic study, to value and to capital. Very close is the relation between the theory of wages and interest presented by Professor Marshall and a theory that was advanced in America in 1888 and 1889. In both cases normal wages and interest are made to depend on the marginal productivity of labor and of capital. If it be too early to say that this solution of the chief problem of distribution is generally accepted, it is clear that it is winning acceptance, and that this is in a large degree due to Professor Marshall's comprehensive exposition. The largest service that economic thought can render to practical life will be rendered when the errors that lend embitterment to the wage contest shall be refuted, in a way that will carry conviction, and when schemes for reform shall be based on known laws of nature.

Professor Smart has discussed in his volume issues of great importance. They are both practical and theoretical, and are treated

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in the light of recently discovered economic principles. How may the modern theory that derives the value of labor from its product be reconciled with the older theory that derives the value of the product from labor? Can the recent demand for a "living wage" as "the everlasting right of man" be interpreted and tested by economic principles? How does the plan of the sliding scale survive a similar test? What influence is most available for securing a living wage for women? Is the fall of prices a necessary and permanent fact? What possibilities of good lie in the socializing of consumption? What policy is practicable that shall abandon *laisser faire*, and yet stop short of socialism? Such are some of the questions that are discussed in this volume in a way that readers will find illuminating, whether they accept all of the conclusions or not.

Five of Dr. Smart's chapters are reprinted, with revision, from the Glasgow *Herald*, the *Fortnightly Review*, the POLITICAL SCIENCE QUARTERLY, the *Annals of the American Academy*, and the *International Journal of Ethics*.

J. B. CLARK.

Die Entstehung des Deutschen Handelsgerichts. Nach archivalischen Quellen dargestellt. Von Dr. jur. et rer. polit. W. SILBERSCHMIDT, Königl. Amtsrichter. Leipzig, Duncker & Humblot, 1894. — 8vo., x, 181 pp.

Dr. Silberschmidt's theme was suggested to him by Professor Goldschmidt, the leading German authority on matters of commercial law; and to Professor Goldschmidt Dr. Silberschmidt dedicates his book. It constitutes a valuable supplement to Professor Goldschmidt's *Geschichte des Handelsrechts*. It is a model of minute historical research and of clear and compressed statement. The first thirty-two pages give a *résumé* of the development of special commercial courts in Italy, Spain, France, England, Scandinavia and the Netherlands, and a sketch of the legal protection accorded to traders and the immunities granted to trade in Germany from the Carolingian times down to the period with which the investigation is chiefly concerned — the sixteenth and seventeenth centuries. The development of the German commercial court is studied primarily in nine representative German cities, — all inland towns, — the greatest space being given to Nuremburg. Then follows a brief examination of the maritime courts of Hamburg, Lübeck and Danzig, and a study of the impulse given by the mercantilist movement in the seventeenth and eighteenth centuries to the establishment of boards of trade, of

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public banks, and of special jurisdictions exercised by merchants or bankers over commercial cases generally, or over disputes regarding commercial paper (*Wechselgerichte*). As the expediency of maintaining separate commercial courts, and the desirability of manning these courts, in part at least, with laymen, are at present matters of debate in Germany, the author briefly indicates the conclusions to which his studies have led him. He finds that the chief incentive to the establishment of separate commercial courts has always been a desire for rapid procedure and summary justice; that the idea that merchants are the best judges of matters commercial has played only a secondary part; that the prejudice against ordinary lawyers was never universal, since they were frequently associated with the merchants in the commercial courts, and that where such a prejudice has revealed itself it has been chiefly due to the fact that the lawyers have been held responsible for the law's delays. With a proper system of procedure in the ordinary courts he sees no reason for the existence of separate commercial courts.

The book (which is based in large measure on unpublished municipal documents) will be found quite as valuable to students of history and economics as to the lawyer. The close relation of separate commercial jurisdiction to the development of guilds merchant, and to the whole framework of mediæval city government, is everywhere emphasized, and much light is thrown upon these connected themes. The history of the commercial courts in Nuremburg and in Bozen (Austrian Tyrol), to which half of the book is devoted, is so full that it almost amounts to a history of the commercial life of these cities in the sixteenth and seventeenth centuries. An appendix contains some interesting German and Italian documents. There is, unfortunately, no index.

MUNROE SMITH.

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BOOK NOTES.

For over a century those interested in the life of Adam Smith have had to depend on the memoir by Dugald Stewart. Later biographers have made very few fresh contributions to the subject. It was a happy thought on the part of Mr. John Rae to utilize the many letters to and from Smith that have recently appeared in the biographies of others, and to consult the unpublished letters in the Hume and Carlyle correspondence, as well as other material, such as the records of the University of Glasgow. The result is that his *Life of Adam Smith*, now issued by Macmillan (1895) in a portly and sumptuous volume, fulfils all the hopes of the author's friends, and is destined without much doubt to be regarded henceforth as the authoritative work on the subject. Of especial interest to the student of economics is the chapter on the relations between Smith and the Physiocrats, in which all the little details of his stay in Paris are carefully collected, and in which the reciprocal influence of Smith and the French thinkers is pointed out. New, too, or at all events very much fuller than in any work hitherto published, are the accounts of Smith's views on the Irish and the American questions. The style and literary skill displayed in the volume are of a piece with its accuracy and thoroughness, and go to make up a work which no admirer of Adam Smith can afford to neglect.

Not so satisfactory is *The Life and Writings of Turgot*, "edited for English readers" by W. Walker Stephens (Longmans, 1895). The first half, about 150 pages, is devoted to the life; the remainder to a translation of some selected essays. As regards the life, it is difficult to see the need of it. English readers have for some years enjoyed the masterly sketch by Léon Say, which was reviewed in the Political Science Quarterly, vol. iv, p. 176. Mr. Stephens excuses himself by saying that in Say's volume too much "prominence is given to economical questions." Yet on an attentive reading of his own pages it will be found that five-sixths are devoted to "economical questions," but unfortunately without the firm hand or the knowledge derived from economic training. There are slips and mistakes innumerable, which could not have been made by an economist. The work rests professedly on secondary authorities; Mr. Stephens himself tells us that his object is to condense into one volume, from the many volumes on the subject, simply the matters of

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interest to the general reader. It is to the general reader, not to the economist, that the work is addressed. This may explain why, of the writings selected for translation, only three of the ten treat of economics. Turgot was indeed more than an economist; but that he was only three-tenths economist, as seems to be implied, is a manifest exaggeration. No one not himself familiar with economics should venture to deal with so eminent an economist.

La Politique de l'Allemagne, by Professor Émile Worms, is a continuation of his *History of the German Zollverein*, published in 1872. In this later volume he traces the development of the protective policy inaugurated by Prince Bismarck in the seventies. The book evinces careful study; but it loses much of its value for the American student through the absence of all references and footnotes. The original studies upon this modern period will be found in the publications of the *Verein für Socialpolitik* in 1892–93 (reviewed in the POLITICAL SCIENCE QUARTERLY, vol. viii, p. 553). The present volume will, however, serve a useful purpose in bringing these results before the French public. For the American student it will be of interest merely as indicating the opinion of the French economists with respect to the curious development of the German policy in the last five years.

The *American Commercial Policy*, by Professor Ugo Rabbeno (Macmillan, 1895), is a translation and enlarged edition of the work already reviewed in these columns (POLITICAL SCIENCE QUARTERLY, vol. ix, p. 159). This book is therefore praiseworthy in the same degree and open to the same criticism. It is conscientiously done, but it is far too long, especially on the colonial period; and there is too much insistence upon the assumed novelty of the method. The American student will not find it of especial use except in those excellent chapters in which the economic theories of the protective economists — Hamilton, List, Carey and Patten — are outlined. In the Italian the book served a useful purpose in making our history accessible to those not familiar with English; but the standard work of Professor Taussig and the monographs of other American scholars will still be the resource of the American student.

In a little book entitled *Popular Control of the Liquor Traffic* (The Friedenwald Co., Baltimore, 1895) Professor E. R. L. Gould has put into simple and eminently readable form the results of his researches into the Scandinavian company system. He was sent over by the United States Department of Labor to investigate the problem. "I went there," he says, "absolutely without prejudice of any sort;

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I came away a convert to the system." The author contrasts the Scandinavian methods with those prevalent at home, and points with hopefulness to the movement already inaugurated in New England which looks to the adoption of the company system.

The report on *Gain-Sharing*, made by Mr. D. S. Schloss to the Labor Department of the Board of Trade (London, 1895), draws attention to certain systems of industrial remuneration which bear a superficial resemblance to "profit-sharing," but are really divergent from the latter. While in profit-sharing the employee receives by way of bonus, in addition to his wages, a share in the profits of the business, in gain-sharing he receives a bonus due to increased efficiency, measured by the reduction effected in the cost of production as compared with certain standard costs. Six schemes are described in detail, and some general observations are appended.

The first number of the *Bulletin de l'Institut International de Statistique* for 1895 consists of a monograph by Dr. Ernst Engel on *Die Lebenskosten Belgischer Arbeiter-Familien, früher und jetzt.* The veteran statistician returns to the subject which made his fame almost forty years ago. He then laid down the law that the smaller the income of a family, the larger the proportion necessarily spent for bare subsistence. He now proposes to review the whole series of efforts that have been made in Europe and America to determine the cost of living for the working classes. This monograph forms the first section of the work, and it will be invaluable to economists and statisticians, because it explains fully Engel's method (workmen's budgets) and contains a minute analysis of two attempts in Belgium (1853 and 1891) to attain the desired result. It is accompanied by a reprint of Engel's original contribution, *Die Productions- und Consumptions-Verhältnisse des Königreichs Sachsen* (1857), long out of print. We shall return to the subject when the further sections of the work appear.

The International Congress of Charities, Correction and Philanthropy, held at Chicago in 1893, has succeeded (by private enterprise) in publishing the mass of interesting and valuable material submitted to it. The volumes on Charity Organization, Public Pauperism, Hospitals, The Insane and Criminal, are now supplemented by a fifth and final volume containing the report of Section II on "Care of Dependent, Neglected and Wayward Children," and of Section VII on "Sociology in Institutions of Learning." The papers are rather miscellaneous, but many are suggestive and instructive. Those by Professors Warner, Wilson and Taylor show in a

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striking way the increased opportunity for sociological study in our universities and the growing demand for it.

The publishing house of Léon Chailley in Paris has recently published a reference work most useful to students of social problems, under the title of *Lois Sociales: Receuil des Textes de la Législation Sociale de la France*, by Chailley-Bert and Arthur Fontaine. It deals with the French laws affecting the conditions of labor, the relations of labor and capital, factory laws, laborers' insurance and the like, and is divided into four parts: "Travail," "Prévoyance," "Propriété," "Protection et Assistance." It includes not only the laws actually in force, but also those that have been repealed, so that the reader obtains a clear idea of the progress of the movement in recent times. There are also notes relating to the legislative history of each law, and to the legal decisions on the topic. It will be indispensable to the student of comparative legislation.

Redgrave's Factory Acts (London, Shaw & Sons) has appeared in a sixth edition, rendered necessary by the act of 1895, which amended in some important particulars the great codifying act of 1878. Among the modifications are the following: "overcrowding" is defined; power is given to courts of summary jurisdiction to close dangerous factories and workshops; a penalty is fixed for allowing wearing apparel to be made in a place where there is infectious disease; workmen, on application, are to be represented on arbitrations; laundries, docks, wharves, quays, warehouses, and buildings in course of construction with the aid of power are brought within certain provisions of the acts; no new underground bakeries are to be authorized; extended regulations are made as to furnishing particulars of wages. The book contains in full the Factory and Workshop acts from 1878 to 1895, and portions of other statutes which, like the various Education and Public Health acts, invest the inspectors of factories with certain powers.

F. J. Stimson's *Labor in its Relations to Law* (Scribners, 1895), which consists of four lectures delivered at the Plymouth School of Ethics in July, 1895, is a strong plea for the maintenance of freedom of contract. The author shows that the great end of the English labor reformers at the beginning of this century was the restoration of this freedom, which preceding legislation had taken from the laborers; and he deprecates the tendency among the present labor leaders to favor legislation limiting the power of workmen to contract freely. He regards the fuller recognition of what he calls "collective bargaining" as the solution of the present labor problem, considering

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personal liberty as property protected by our ordinary constitutional provisions. In the chapter on "Strikes and Boycotts" there is an exceedingly interesting discussion of the cases decided by the courts on the subject, and the decisions are shown to be based on the broadest ethical grounds. As the author says: "In this doctrine of conspiracy the law has undertaken to do all that the moralist, perhaps even all the sentimentalist, would have it do." While a strong believer in the freedom of contract as a constitutional right, Mr. Stimson thinks that the courts are wrong in declaring unconstitutional such enactments as the "anti-trust acts." This legislation, he thinks, might well be considered as a proper exercise of the police power.

Jacob M. Moses's little book on *The Law applicable to Strikes* (Baltimore, King Bros., 1895) will not only be of use to the lawyer, but is of interest to the layman. It is thoroughly up to date, containing a careful discussion of the remedy by injunction, and an analysis of the celebrated Debs case.

In *Double Taxation in Massachusetts* (Boston, Damrell & Upham, 1895), Mr. Richard H. Dana has summed up the conclusions derived from what he declares in the preface to be "three years' hard work before tax committees of the legislature." The pamphlet does not, as its title would indicate, cover the whole field of double taxation; it discusses only those aspects of the question that are of practical importance in Massachusetts. But it discusses them well. The work is published under the auspices of the Massachusetts Anti-Double-Taxation League, and is interesting alike to the lawyer and to the economist.

The third and fourth volumes of Traill's *Social England* cover the years of revolution — political and economic — from 1509 to 1714. As Professor Ashley has said in his reviews of the preceding volumes (see this QUARTERLY, September, 1894, and June, 1895), they contain a great variety of papers, "excellent, good and indifferent," which "it were idle to attempt to criticise in detail." As regards the work of the editor, one may wonder at the space assigned to some topics, may be irritated by repetitions accompanied by diverging shades of opinions, and may feel disposed to object to some of the lines of division drawn between chapters; but criticism is disarmed on consideration of the difficulties sure to arise in preparing the first edition of such a work. The editor's task is, moreover, apparently thankless; for it is difficult to believe that the work will prove satisfactory to any class of readers, as such, or that it will meet any

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considerable demand as a work of reference. The present volumes will, however, serve a very useful purpose if they call attention to the fundamental changes in economic and social conditions, which are so commonly neglected by writers about this period.

The second issue in the Social England Series, published by Swan Sonnenschein & Co., is a volume by F. A. Inderwick, entitled *The King's Peace.* It gives, within the compass of 254 pages, a historical sketch of the English law courts, local as well as national. The object aimed at in the book is commendable, but its contents are of a miscellaneous sort. Space which should have been economized has been wasted in the presentation of matter which can interest only the antiquarian. The author, though he has utilized some of the results of modern research, has by no means escaped from the undue influence of the old lawyers, Coke, Selden, Hale and the rest. Hence the book is essentially a patchwork.

Dr. Hasbach's very substantial and thorough treatise, *Die Englischen Landarbeiter in den letzten hundert Jahren und die Einhegungen*, which was issued by the *Verein für Socialpolitik* among their publications for 1894 (Leipzig, Duncker und Humblot), is now in process of translation into English; and we shall reserve any detailed account and criticism of the work until the translation shall have appeared. Dr. Hasbach's undertaking in this particular field was suggested, he tells us, by the munificence of Frau Held, in creating a travelling fellowship for the carrying on of economic inquiries in the spirit of her late husband, too early lost to science, and by the prompting of Professor Knapp, who has himself done so much for the modern agrarian history of Germany. This book gives just that systematic and complete view of the material, that combination of sympathy with scientific caution, that union of detail with generalization, which have hitherto been sought for in vain in the English literature of the subject. So long as the conditions of academic life in England are such as to render the production of systematic treatises rather improbable in that country on any other economic topics than general theory and finance, it is fortunate that the vigorous historical school in Germany is ready to fill the gaps. We have noted as especially commendable in Professor Hasbach's book the criticism (pp. 28, 38–58) of the explanations commonly given as to the economic causes of the enclosures both of the sixteenth and of the eighteenth centuries. In preparing an English translation, the author would do well to revise the Introduction, which strikes

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us at present as a little shapeless; owing, doubtless, to the piece-work method in which it had to be written. He might reconsider the statement that the Act of 12 Charles II gave the English landlord *volles Eigenthum* (p. 2). If he again visits England, and journeys to villages rather more remote from London than a distance of twenty-five miles (p. 65), he will find in many places social conditions still surviving much more like those of the early eighteenth century than those he here describes; and if he goes to Yorkshire he will find plenty of stone walls (p. 15).

Dr. F. Keutgen's *Untersuchungen über den Ursprung der Deutschen Stadtverfassung* (Leipzig, Duncker und Humblot) is not an exhaustive investigation of the origin of German municipal organization, but is rather an investigation of the points left in doubt by preceding students of the subject. The author believes that various forces, economic, legal and political, were at work in the formation of the city organization. He attributes great influence to Roman institutions, which, while not in a flourishing condition when Rome fell, still did not fail to leave their impress on later times. The Roman cities, when the Germans settled in them, were centers of trade and of episcopal power, and at the same time fortresses. Their inhabitants obtained important judicial privileges which finally became exclusive. Afterwards similar privileges were extended to aggregations of inhabitants which formed in the interior of Germany and which were commonly under the protection and jurisdiction of some ecclesiastical or secular lord. When immigration into the cities from the rural districts began, it was provided that ownership of property in the town carried with it the privileges possessed by the original inhabitants and released the owners from their duties to their former lords. This fact was expressed in the phrase "*Stadtluft macht frei.*" Upon this basis was built up finally a municipal authority which controlled all municipal affairs, assumed the powers of the lord of the city and achieved almost complete independence for the city.

Under the title *Studies in Diplomacy* Macmillan & Co. have just published a volume by Count Benedetti, done into English by an anonymous translator. The volume includes a preface of sixty pages and four essays, all treating of events or situations associated with Bismarck's public career. In "The Emperor and Prince Bismarck" the author ascribes to the personal ambition and ability of William I a much larger share in the aggrandizement of Prussia than is usually recognized. In "The Triple Alliance" and "Armed Peace and its

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Consequences," Bismarck's foreign policy since 1871 is treated at length and with considerable repetition. "My Mission to Ems" gives a minute account and justification of the author's part in the historic incidents of July, 1871. The work as a whole is an arraignment, though in dignified and courteous language, of Bismarck's methods as selfish and unscrupulous; and there is something pathetic in the author's demonstration that they have been attended by invariable success. We are pained by the facility with which Russia, Austria and Italy have in turn been lured into sacrificing their own interests for the benefit of Prussia. The book contains hardly so much as an allusion to such a policy as "*revanche*"!

The fourth volume of Professor McMaster's *History of the People of the United States* (Appleton, 1895) covers the period from 1812 to 1820. For a half of this period the work parallels that of Henry Adams in his later volumes; but the reader will be very ready to admit the advantages of the double treatment. Professor McMaster's well-known characteristics all appear in the new volume, though it seems as if time were toning down some of the most aggressive peculiarities of his method and style. The people of the United States had much to excite them during the years of which this volume treats; but yet they do not seem, as we read, to be living at so high a pitch or to be taking little incidents with such heartrending intensity of feeling as in preceding volumes.

Professor Edward Jenks has added to the Cambridge Historical Series a useful little volume comprehensively entitled *The History of the Australasian Colonies from their Foundation to the Year 1893*. It would have been more correct to call it *A Political History, etc.* There are indeed frequent references to the land question and other economic problems, but only so far as this is unavoidable in writing of a people which has made history faster for the economist than for the political scientist. The reader turns to the chapter on "Present Day Questions" only to find even that devoted exclusively to questions of politics, while "the equally interesting and perhaps more vital questions of education, economics and social organization are left untouched." He also looks in vain for the bibliography promised in the editor's preface, but finds instead two convenient pages of statistics. The book is excellent so far as it goes, the author having been prepared for his task by a residence in Australia and by his thorough study of the Victorian government. But the history of Australasia remains to be written.

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